



STAFF HANDBOOK

HORLEY TOWN COUNCIL

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1. USE OF THE STAFF HANDBOOK

- 1.1 The success of Horley Town Council is directly related to the skills and commitment of our employees and our work environment. With that in mind, we have developed a Staff Handbook which sets out our policies, procedures and rules.
- 1.2 This Staff Handbook is designed to give employees information about the Council and details of their employment. It also contains some of the policies, procedures, and rules, which the Council has adopted and employees are expected to follow them. The additional HR policies are available from the Town Clerk.
- 1.3 Some of the policies, procedures and rules included in the Staff Handbook are referred to within contracts of employment, but the Handbook does not form part of an employee's contract of employment.
- 1.4 Employees are encouraged to read the Staff Handbook carefully and if any questions about its contents arise, please contact the Town Clerk.
- 1.5 The Staff Handbook will be updated as and when changes occur, and employees will be notified accordingly.
- 1.6 Please thoroughly read and familiarise yourself with this Staff Handbook and if you have any questions about the contents, please address them to the Town Clerk. Please note that your manager is the Town Clerk unless this has been confirmed otherwise. If you are the Town Clerk, your manager for line management purposes is the Staff Committee since it has delegated authority from the Council.
- 1.7 This Staff Handbook aims to cover most events during your employment but cannot fully anticipate all eventualities. There will therefore be times when the Council may need to alter or add to the policies and rules in this Staff Handbook, as and when appropriate. For contractual matters, we will consult with you before making these changes and, for non-contractual policies we will let you know of any changes.

2. ENJOY YOUR WORK

- 2.1 The Council values its employees so promotes an enjoyable and cooperative work environment for its employees. It is important our employees feel valued and empowered as well as highly motivated and well equipped to do their job. The Council aims to provide a good, pleasant, and happy working environment, which includes a number of employee benefits (listed below).
- 2.2 The Council will also be open to employee suggestions as to how the working environment can be improved.

- 2.3 The Council has adopted a Performance Supervision and Appraisal scheme (Section 9) which is aimed at supporting you as an employee to develop your skills within a culture of Continuous Personal Development.

3. COUNCIL CODE OF CONDUCT

3.1 Requirements

This Staff Handbook outlines 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. In particular, the following areas are of particular importance:

- The rules on gifts and hospitality (Section 11.3)
- The policies on smoking (Section 11.13) and alcohol and drugs (Section 11.14)
- The rules on the use of computers, the internet, email, and social media (Section 11.10)

3.2 Dishonesty

3.2.1 Dishonesty, however minor, will be regarded by the Council as gross misconduct. Dishonesty includes theft of property from the Council, colleagues or third parties such as contractors employed by the Council. Dishonesty also includes an employee seeking to gain 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.

3.2.1 It will not matter what sum of money is involved be it small or large. The Council regards any dishonesty by employees as gross misconduct which will usually result in dismissal.

3.3 Refusal to carry out instructions

3.3.1 Employees are expected to follow instructions and carry out their duties to the best of their ability. This includes actions agreed by the Council. Employees are required to carry out instructions as directed and any deliberate or wilful refusal to do so will be considered gross misconduct.

3.3.2 If an employee considers that instructions received do not fall within their main duties or job description or is otherwise considered unreasonable then these concerns should be raised using the grievance procedure initially by raising the matter informally. It should be noted that if an employee does this it will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found that the instruction is a reasonable one in all the circumstances.

4. EMPLOYEE BENEFITS

4.1 Employee benefits are as follows:

A very generous Local Government Pension scheme, which includes life cover

- An excellent work environment and conditions
- Flexible working where possible
- Generous holiday entitlement
- Access to appropriate free training
- Availability of vocational qualifications where appropriate
- Occupational Health Support
- Free car parking subject to availability of spaces

5. JOINING THE COUNCIL

5.1 **Probationary period**

5.1.1 Employees will normally serve a six-month probationary period upon joining the Council. Where this is not the case, it will be identified within individual contracts of employment. This period is used for line managers to assess an employee's ability to fit their role, and it is also an opportune time for new employees to consider whether they like working for the Council.

5.1.2 If an employee cannot demonstrate suitability for the role during their probation period, their employment could be terminated at any time during the probation period with the contractual notice given. The Council also reserves the right to extend the probationary period where appropriate.

5.2 **Induction**

5.2.1 The Council will offer every new employee relevant assistance to allow them to promptly settle into their role.

5.2.2 The new employee induction programme sets out what employees should expect during their first few weeks and months of their employment, such as meeting new colleagues and receiving relevant policies and procedures, see **Addendum 1**.

5.2.3 If a new employee feels they are missing some vital information for their role, they should ask their line manager.

5.2.4 The initial induction will be undertaken either by the line manager or the Town Clerk or both. This will include familiarisation with the Council's Health & Safety policies, relevant risk assessments, IT, and any other information relevant to the position.

5.3 **Personal details**

5.3.1 All employees should ensure that information on their personnel records is complete, correct and up to date, especially for cases of emergency. Line managers should be advised if any changes need to be made by way of submitting a Change to Personal Details Form.

5.3.2 Employee personal information is confidential and will not be released to any third parties without prior authorisation.

5.3.3 The Town Clerk maintains personnel files for all employees, which are held securely and will be kept in accordance with the Council's Document Retention Policy.

5.4 **Secondary employment**

- 5.4.1 Working for the Council is expected to be an employee's primary employment. However, the Council accepts that other working opportunities may arise, but these should not have any effect on an employee's role at the Council.
- 5.4.2 Employees need to request permission in writing from the Council before agreeing to any other paid employment. The Council will not unreasonably prevent additional paid employment. In making the decision with Council will consider the total hours worked with both positions and any potential impact on performance at the Council as the primary employer.
- 5.4.3 Employees are required to notify the Town Clerk in writing of any changes in working hours at their second job before accepting them in order that a review can be undertaken as to the impact on the work for the Council.
- 5.4.4 The Council also reserves the right to require that any other employment the employee takes on does not conflict with the role or standards required to be undertaken or met in the public office of the post.

5.5 **Disclosure and barring service**

- 5.5.1 Certain roles at the Council will require employees to undergo a Disclosure and Barring Service (DBS) check. This will be discussed with relevant employees during the interview stage or when changes require a DBS check.

6. **PAY**

6.1 **Salary scales**

- 6.1.1 An employee's starting salary and pay scale will be agreed on appointment and stated in their contract of employment.
- 6.1.2 Employees will be advised accordingly of any subsequent changes to salaries, e.g., following an annual review (which is dependent on an employee's level of performance) and could result in an incremental rise until the employee reaches the top of their pay scale. In addition, in accordance with the National Joint Council for Local Government services National Agreement, annual cost of living rises are adopted once agreed nationally. All salary increases will be agreed by Full Council or the relevant Committee.

6.2 **Payment of salaries**

- 6.2.1 Salaries will be paid on or by the 28th day of each calendar month by bank transfer. Employees will be issued with individual detailed payslips every month.
- 6.2.2 In respect of overtime (subject to prior approval from the Town Clerk), employees are required to complete and submit a monthly timesheet to their line manager by the 15th day of each month. Timesheets must detail the exact hours worked and must be signed by the employee and line manager. Failure to supply timesheets in good time may result in underpayment of salary to hours worked but this will be rectified in the following month's payroll subject to submission of the late timesheet.

6.3 **Deductions from salaries**

6.3.1 The Council will make any necessary deductions from an employee's salary as required by law or as authorised by the employee in writing. The Council also reserves the right to make salary adjustments to an employee's pay where an overpayment has been made or in other cases such as malicious damage (which could also result in dismissal).

6.4 **Pension Scheme**

6.4.1 The Council offers two pension scheme options to all its employees, through the Local Government Pension Scheme (LGPS).

6.4.2 Details of the pension schemes provided by the Council will be given to you as part of your induction. If you have any queries with regard to your pension you should raise these with the Town Clerk.

6.4.3 All employees that meet the requirement will automatically be included in the relevant pension scheme. Employees who do not wish to join the pension scheme should inform the Clerk that they wish to opt out. If an employee wishes to opt out or opt into a pension scheme, they must inform the Town Clerk in writing.

6.5 **Hours of work**

6.5.1 Employees hours of work are set out in their individual contract of employment.

6.5.2 While the Council does not encourage working more than full time equivalent hours per week, an employee will be provided with a form to opt out of the Working Time Regulations 1998, to allow them to work more than an average of 48 hours per week where required.

6.5.3 For every six or more hours worked, an employee will be entitled to an unpaid rest break of thirty minutes; these will automatically be deducted from hours worked where not recorded on their monthly timesheet.

6.6 **Time off in lieu**

6.6.1 Where employees are authorised to work on behalf of the Council in addition to contractual hours, time off in lieu (TOIL) may be allowed. Please refer to the Council's time off in lieu procedures and contract of employment for the specifics regarding accruing and usage of TOIL.

7. **HOLIDAYS**

7.1 **Holiday entitlement**

7.1.1 Contracts of employment set out employee holiday entitlements. Part time employees' holiday entitlement will be proportionate to their normal hours of work as stated in their contract of employment and will include a pro rata entitlement to Public Holidays. Part Time holiday entitlement will normally be described in hours rather than days.

- 7.1.2 If an employee joins the Council part way through a holiday year, the employee is entitled to the appropriate pro rata of leave based on the number of completed weeks of service.
- 7.1.3 The Council offices normally close for the period between Christmas and New Year and councillors will make a decision on the closure period for each year accordingly.
- 7.1.4 Some employees may be required to work during the Christmas and New Year period to ensure service continuity or to be available for emergency situations (eg. at Council sites or community buildings) if required. However, this will be kept to a minimum where possible.

7.2 **Holiday Year**

- 7.2.1 The holiday year is between 1st April and 31st March.
- 7.2.2 Leave is not permitted to be carried over from one holiday year to the next unless specific permission is given by an employee's line manager. Holidays not taken will be lost unless specific permission is given.

7.3 **Public and Bank Holidays**

- 7.3.1 Office based Council employees are granted all public holidays with pay. Part-time employees will receive a pro rata entitlement.

7.4 **Holiday Bookings**

- 7.4.1 Employees must agree any holidays in advance with their line manager and holidays will only be approved once their line manager has signed a Holiday Request Form. It should be noted that a request could be turned down if there is a consequence of the absence.
- 7.4.2 The Holiday Request Form should be submitted as far in advance of the requested leave date as possible to ensure that Council business and service delivery needs can be managed.
- 7.4.3 If a holiday request has to be refused, line managers will give as much notice of refusal as possible, along with the reasons for refusal.
- 7.4.4 Upon resignation/termination of employment, any outstanding annual leave should be taken prior to the effective date of departure. At the discretion of the Town Clerk, payment may be made in lieu of holiday entitlement (these payments will meet the requirements of Regulation 14 of the Working Time Regulations 1998).
- 7.4.5 If an employee leaves within a leave year and holiday has been taken in excess of any entitlement accrued up to the date of departure, a pro rata financial adjustment will be made to their final salary.

7.5 **Religious holidays**

- 7.5.1 The Council does not discriminate, but if an employee wishes to celebrate festivals outside of normal public/bank holiday entitlement, the employee is required to use their normal holiday allowance to take time off for these.

8. ABSENCE MANAGEMENT/FLEXIBLE WORKING

8.1 Unauthorised absence

8.1.1 Employees who deliberately fail to attend work without a good reason will be considered to have committed gross misconduct which could result in dismissal without notice or payment in lieu.

8.2 Sickness absence

8.2.1 The Council is committed to maintaining the health, well-being and attendance of all its employees.

8.2.2 The Council's Sickness Management Policy is based on the following principles:

- it undertakes to provide reasonable payments to employees who are unable to work due to sickness;
- it will support employees who have genuine grounds for absence for whatever reason. This support includes a flexible approach to the taking of annual leave and returning to work after long term sickness; and
- it will respect the confidentiality of all information relating to an employee's sickness and information will be held in line with all data protection legislation.

8.2.3 Regular, punctual attendance is an implied term of every employee's contract of employment and the Council expects every employee to take responsibility for maintaining good attendance and reporting absence according to the procedures set out in this Handbook. Disciplinary procedures may be used if an explanation for absence is not provided or if the reason given is not deemed to be satisfactory.

8.2.4 If an employee is too ill to attend work, they should inform the Town Clerk or line manager as soon as practicably possible, either in person or through a third party. You should ensure that you report a sickness absence by telephone to your line manager no later than one hour after your start time.

8.2.5 Where possible, notification of absence by telephone to the Town Clerk or line manager should be given the previous evening to allow for cover to be arranged. When reporting an absence, employees should give a clear explanation of the ailment and the anticipated return to work date.

8.2.6 Employees are required to telephone in if they are able and speak directly to the Town Clerk or line manager. It is not acceptable to leave a message with a colleague or send an email or text. You may be contacted during the day to discuss your absence.

8.2.7 Employees are encouraged to keep in touch with the relevant person at the Council. This will enable Council to arrange cover if required. You are required to telephone in sick on every day of your absence unless you are able to provide a GP "Fit Note" (Form Med 3). A Fit Note will be required if you are ill for more than seven days in a row. This includes non-working days, such as weekends, bank holidays or any days not normally worked.

- 8.2.8 If an employee is off work for seven days or less, an employee does not need to provide proof of sickness from a medical professional. However, on returning to work, line managers will ask the employee to confirm they have been off sick in writing on the appropriate form – this is known as ‘self-certification’ (copy appended).
- 8.2.9 The following are not considered legitimate reasons to take sickness absence:
- Intoxication (this will be regarded as a disciplinary offence which may result in dismissal without notice or payment in lieu)
 - Issues getting to work such as late bus or car breakdown
- 8.2.10 If a 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 the employee’s own expense.
- 8.2.11 If an employee is ill just before or during their holiday, it can be recorded as sick leave instead, provided a Fit Note is submitted.
- 8.2.12 If you are on sick leave for an extended period of time (three weeks or more) the Council reserves the right to refer you to an Occupational Health Professional or seek a medical report from your GP. The reason is to establish when you will be able to return to work and to put in measures that may be able to help you return to work as soon as possible.
- 8.2.13 If you are off sick you must not undertake any activities that are likely to be detrimental to your recovery. You should cooperate with medical professionals to ensure that your recovery is as rapid as it can be.
- 8.2.14 If an employee’s absence is not covered by self-certification, a doctor’s statement, or in-patient certificate, it may be treated as unauthorised absence and dealt with using disciplinary procedures.
- 8.2.15 The Council will maintain regular contact with any employee who is on long term sickness absence.

8.3 **Return to work**

- 8.3.1 On returning to work, an employee must complete a Self-Certification Form and hand it to their line manager.
- 8.3.2 Fit notes state whether an employee is either ‘not fit for work’ or ‘may be fit for work’. If it states the employee ‘may be fit for work’, line managers will discuss any changes that might help the employee return to work, such as different working hours or tasks/duties. However, the employee will be treated as ‘not fit for work’ if there’s no agreement on these changes and cannot therefore, return to work.

8.4 **Phased return to work**

- 8.4.1 It may be possible for an employee who is recovering from illness or injury to undertake a limited range of duties as preparation to returning to normal hours. In such cases the Council will endeavour to allow a phased return to work subject to any medical advice. A return to work may involve reduced hours, limiting the scope of the employee’s duties or a combination of both. The aim is to bridge the time between sickness absence and normal working so any phased

return will be time-limited and will not normally extend beyond a three-month period.

8.5 Alternative roles

8.5.1 If it becomes apparent that an employee who has been off sick for an extended period of time is not able to return to their original role the Council may consider agreeing changes and working hours to an employee's duties and other working arrangements. Any such changes will be subject to the requirements of the Council and there is no guarantee that permanent arrangements of this sort are possible.

8.5.2 Where duties or working hours are varied in this way then the new role being undertaken by the employee will be subject to a job evaluation which may result in an amended level of remuneration. This will need to be agreed by the employee and if an agreement cannot be reached then Council may proceed to dismissing the employee in accordance with its procedure for long-term sickness absence.

8.6 Reasonable adjustments

8.6.1 The Council is fully committed to making reasonable adjustments to an employee's duties or working environment in cases where they may potentially suffer some disadvantage arising from a disability.

8.6.2 For reasonable adjustments to be implemented, the Council needs to be made fully aware of any disabilities its employees may have. If an employee feels that they need an adjustment, then they should discuss this with the Town Clerk or line manager. Any discussions will be in the strictest confidence. However, fellow employees will need to be made aware of why the adjustments are being made. Disclosure of any personal disability to other employees will be part of the discussions related to the required adjustments requested.

8.6.3 The reason for any adjustments being made will be to ensure that the employee can work effectively in the role that they are undertaking and will be based 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 the agreed adjustment. The Council will not agree to an adjustment if the results of that adjustment do not result in a commercially practicable working arrangement.

8.7 Sick pay

8.7.1 Employees will be paid any sick pay in accordance with their contract of employment which sets out the qualification periods for the various periods of sick pay. The Council pays over and above the statutory sick pay depending upon the length of service with the Council.

8.7.2 Entitlement to payment is subject to notification of absence and production of any certificates as referred to above.

8.7.3 The Council operates the sick pay scheme and employees are required to co-operate in the maintenance of necessary records. For the purposes of

calculating employee entitlement to sick pay, 'qualifying days' are those days on which employees are normally required to work.

- 8.7.4 The Council reserves the right to require employees at any time to undergo a medical examination by a medical practitioner nominated by the Council, subject to the provisions of the Access to Medical Reports Act 1988 where applicable. Any costs associated with the examination will be met by the Council.
- 8.7.5 Whilst on absence due to sickness or incapacity, employees are not permitted to undertake any paid work for another employer or for any business established by employees without express permission from the Council.
- 8.7.6 The scale of payment is set out in contracts of employment, subject to meeting the conditions of the scheme.

8.8 **Sent home**

- 8.8.1 If an employee becomes unwell whilst at work and decides there is a need to go home, the employee must inform their line manager before leaving, primarily for health and safety purposes.
- 8.8.2 Line managers will discuss with the employee whether the absence is to be treated as a sickness absence or time off in lieu.

8.9 **Medical, dental or optician appointments**

- 8.9.1 The Council politely requests employees to make medical appointments outside working hours whenever possible. However, where this is not possible, appointments should be arranged to avoid disrupting work schedules ie. made early or late in the day. Employees may be required to use TOIL to cover such absences at the Council's discretion and must be discussed with the Town Clerk in advance of the appointment.
- 8.9.3 Where attendance for a medical or hospital appointment necessitates a complete day's absence from work, this will be treated as sick leave and the procedure for self-certification should be followed.
- 8.9.4 Employees who have a medical condition that requires regular appointments during the working day should discuss their situation the Town Clerk so that appropriate arrangements can be made.

8.10 **Ante-natal care and adoption appointments**

- 8.10.1 Employees who are pregnant are entitled to paid time off to attend ante-natal clinics provided that time off is based on medical advice. For second and subsequent appointments you may be requested to provide appointment cards or similar evidence indicating the date and time of appointment.
- 8.10.2 There is no limit to the number of appointments an employee can attend you are requested to take reasonable steps to arrange ante-natal appointments at a time that will create minimum disruption to your working day.

- 8.10.3 If your partner is pregnant you are entitled to unpaid time off for up to two ante-natal appointments. Please notify your line manager or Clerk if you wish to exercise this right.
- 8.10.4 Employees who are adopting on their own, or have elected to be the primary adopter, may take paid time off to attend up to five adoption appointments in certain circumstances.
- 8.10.5 If you are the partner of the primary adopter you are entitled to unpaid time off for up to two adoption appointments.

8.11 **Maternity leave**

8.11.1 All employees who give birth are entitled to a maximum of 52 weeks maternity leave. 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. For the first 6 weeks you will be entitled to 90% of your average weekly salary. For the remainder of the 39 weeks, you will be entitled to the statutory figure (April 2023 £172.48) or 90% of your average salary over the preceding six weeks prior to maternity leave whichever is the lesser figure. As this is a statutory payment employees must meet the procedural requirements to ensure they qualify. The main requirements are set out below:

- Meet certain National Insurance contributions lower earnings limit requirements
- Have 26 weeks' continuous service (assessed at the 15th week before the baby is due)

8.11.2 Payments for employees who have completed 1 year's continuous local government service at the 11th week before the Expected Week of Childbirth (EWC) shall be as follows:

- For the first six weeks of absence an employee shall be entitled to nine-tenths of a week's pay offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP
- An employee who declares in writing that she intends to return to work will for the subsequent 12 weeks' absence receive half a week's pay plus SMP, where eligible, without deduction except by the extent to which the combined pay and SMP (or MA and any dependant's allowances if the employee is not eligible for SMP) exceeds full pay. Alternatively, the equivalent amount (i.e., 6 weeks' pay) may be paid on any other mutually agreed distribution. For the remainder of the maternity leave period the employee will receive their entitlement to SMP currently 39 weeks in total), where eligible
- For employees not intending to return to work payments during their maternity leave period following the first 6 weeks will be their entitlement to SMP (currently 39 weeks in total), where eligible
- Payments made by the authority during maternity leave under bullet point 2 above shall be made on the understanding that the employee will return to local authority employment for a period of at least three months, which may be varied by the local authority on good cause being shown and, in the event

of her not doing so, she shall refund the monies paid, or such part thereof, if any, 20 as the authority may decide. Payments made to the employee by way of SMP are not refundable.

8.11.3 To qualify for maternity leave you must provide Council with the following information no later than the end of your 15th week before your EWC (when you are about six months pregnant):

- Confirmation that you are pregnant
- The date of the week that your baby is due
- The expected commencement date of your maternity leave
- The original Maternity Certificate (MAT B1) issued by your doctor
- Confirmation or otherwise that you will take advantage of your right to shared parental leave

8.11.4 If you are unable to provide the MAT B1 certificate please discuss this with your line manager or the Clerk as it is always possible to accept alternative medical evidence of the date your baby is due.

8.11.5 Maternity leave cannot commence prior to the 11th week before your EWC. You may begin your maternity leave then or, if it is safe to do so, you can work right up to your child's birth.

8.11.6 Maternity leave will begin automatically if you are off sick for a pregnancy related reason at any stage in the four weeks prior to your EWC.

8.11.7 If your baby is born prior to the start of your maternity leave date your maternity leave will commence the following day after birth.

8.11.8 You may change or amend the date you intend to commence your maternity leave, but you should inform Council 28 days before your original maternity leave date. If you are unable to for any reason, please let your either line manager or Clerk know so that Council can try to accommodate the change in your circumstances.

8.11.9 Please inform Council as soon as you are able when your baby is born.

8.11.10 The standard length of maternity leave is 52 weeks. Council will assume that you intend to take 52 weeks maternity leave unless you inform it otherwise. It will provide written notification of your expected return date. If you wish to return earlier, please let Council know. Please contact your line manager or the Clerk to let them know when you intend to return to work though you do not have to give notice of your intended return date.

8.11.11 At the end of your maternity leave you are entitled to return to the same position prior to going on maternity leave. If you are away for more than 26 weeks, then there may be circumstances when this will not be practical. In such cases Council will provide you with a suitable and appropriate role at the same level of seniority and on no less favourable terms and conditions.

8.12 **Dismissal or resignation during maternity leave**

8.12.1 During your maternity leave you are still employed by the Council, and you will be required to meet the conditions contained within your contract of employment. If you wish to leave your employment, then you must resign in the normal way.

- 8.12.2 Council will not dismiss you for any reason that is related to your pregnancy or any rights that may arise from it. If separate circumstances require the Council to dismiss you then that will bring your maternity leave to an end.
- 8.12.3 If your position is made redundant during your maternity leave then you will be offered suitable alternative roles that may become available.
- 8.12.4 You will be entitled to Statutory Maternity Pay (SMP) if you have at least 26 weeks service prior to your 15th week before the expected week of childbirth and if your pay is above the lower earnings limit for paying National Insurance Contributions. Note that this normally changes annually. For those who earn below this threshold you may be entitled to the state benefit Maternity Allowance.
- 8.12.5 Council requires 28 days' notice before your intended maternity leave start date if you wish to claim SMP. If it is not possible to give 28 days' notice, please give as much notice as reasonably practical.
- 8.12.6 Entitlement to SMP will be affected if you undertake any paid work or are taken into legal custody at any time during the 39 weeks you are entitled to SMP. Please inform the Council as soon as possible of any changes in circumstances.
- 8.13 Early/late return to work (post maternity leave)**
- 8.13.1 If you wish to return to work sooner than the 52 weeks for whatever reason please let the Council know at least 8 weeks prior to your official return. This is the minimum period of notice Council is entitled to. If you do not inform Council 8 weeks prior to your intended return to work date this will result in a delay.
- 8.13.2 The law does not allow you to return to work during the two weeks following the birth of your child.
- 8.13.3 You are required to return to work following your maternity leave on the notified expected date of return. If you are unwell on that date, you should follow the sickness absence procedure in Section 8.7.
- 8.13.4 You may be entitled to begin some other period of leave such as annual leave or parental leave. Please ensure that you follow the correct procedure outlined in this handbook.
- 8.14 Keeping in touch (KIT) days**
- 8.14.1 Keeping in touch (KIT) days are intended to facilitate a smooth return to work for women returning from maternity leave. Before going on leave, the employer and the employee should discuss and agree any voluntary arrangements for keeping in touch during the employee's maternity leave. An employee may work for up to 10 KIT days during Ordinary Maternity Leave or Additional Maternity Leave without bringing her maternity leave to an end. An employee may not work during the two weeks of compulsory maternity leave immediately after the birth of her baby.
- 8.14.2 The work can be consecutive or not and can include training or other activities which enable the employee to keep in touch with the workplace. Any such work must be by agreement and neither the employer nor the employee can insist

upon it. Such workdays may at the discretion of the Council accrue pay at the normal rate for the individual. They will not affect maternity pay.

8.14.3 The Council and the employee can also have reasonable contact during the leave period to discuss such issues as the details of returning to work, this does not count towards the 10 KIT days.

8.15 **Maternity suspension for health & safety reasons**

8.15.1 In certain circumstances it may be unsafe for you to continue in your job while you are pregnant. In some circumstances the law requires pregnant employees to be suspended on full pay or transferred to alternative roles. These will be identified under risk assessments carried out under the Council's Health & Safety policy.

8.15.2 If you are affected by any health and safety issues connected to your pregnancy, please discuss this with your line manager or the Clerk so that alternative arrangements can be made until it is safe for you to return to your normal duties.

8.16 **Adoption leave**

8.16.1 Employees who are matched with a child for adoption may be entitled to take up to 52 weeks' adoption leave. This is also available to individuals fostering a child under the "Fostering for Adoption" scheme.

8.16.2 When two parents are adopting a child only one may take adoption leave and the other is entitled to take paternity leave. If both parents qualify, they may each take shared parental leave.

8.16.3 The arrangements for taking adoption leave are similar to those related to maternity leave although there are a number of important differences. The key differences are outlined below. If you are unsure, then please discuss this with your line manager or the Town Clerk:

- Notify the Council within seven days, or as soon as practicably possible, of you being notified that you have been matched with a child for adoption
- The notification should include the date the child is expected to be placed with you and the date you wish to start your adoption leave. This can be changed as with maternity leave
- Please provide Council with proof of adoption
- Adoption leave is the same duration as maternity leave. Leave can commence from the date the child is placed with you or any time in the two weeks prior
- If the placement is brought to an end for any reason, then adoption leave will continue for 8 weeks beyond the end of the placement. Following that you will be expected to return to work.
- Adoption pay is similar to SMP
- Return to work is the same as maternity leave

8.17 **Paternity leave**

8.17.1 Employees with 26 weeks continuous service are entitled to take paternity leave if they are expected to have paternal responsibility for a child and they

are either the mother's partner or one of the adoptive parents. The reason for the leave must be to either care for the child or provide support for the child's mother or adoptive parent.

- 8.17.2 Employees that are entitled to take paternity leave can take one or two weeks leave. If the employee wishes to take two weeks leave, then it must run consecutively. Individual days can only be taken with the approval of Council.
- 8.17.3 Paternity leave can only be taken once the child has been born and should be taken within the first eight weeks following birth. If a child is born prematurely then the eight weeks commenced from the expected week of childbirth.
- 8.17.4 You must notify Council at least 15 weeks before the expected week of your child's birth, or within 7 days of being notified that a child will be placed for adoption, that you wish to take paternity leave. You must state the length of paternity leave you wish to take. Council requires 28 days' notice of any changes.
- 8.17.5 Paternity leave is paid at the statutory rate which changes annually.

8.18 Parental leave

- 8.18.1 Parental leave is unpaid leave that is flexible and aims to help employees to spend time caring for their children. Parental leave can be taken up until the child's 18th birthday.
- 8.18.2 Employees who have completed one year's service are entitled to 18 weeks unpaid parental leave for each child born or adopted. The leave can start once the child is born or placed for adoption with the employee or as soon as the employee has completed a year's service, whichever is later. The limit on how much parental leave each parent can take in a year is 4 weeks for each child.
- 8.18.3 Employees must take parental leave as whole weeks (eg. 1 week or 2 weeks) rather than individual days, unless the child is disabled. Parental leave does not have to be taken all at once. A 'week' equals the length of time an employee normally works over 7 days.
- 8.18.4 The Council provides more flexibility in respect of disabled children. Please discuss your requirements with your line manager or the Clerk.
- 8.18.5 Parental leave requests should be submitted at least 21 days in advance and whilst the Council will do all it can to accommodate requests it does reserve the right to postpone any leave for up to six months based on Council needs and requirements.
- 8.18.6 There is no need for postponements if you wish to take your first instalment of leave immediately after the birth or adoption of the child. Please inform Council of your intentions 21 days before the expected date of birth or placement. Leave begins immediately following birth or placement.
- 8.18.7 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 attached to a particular child. Please note that the qualifying period for

taking parental leave still applies and you will need to have been in the Council's employ for at least one year before you can resume taking parental leave.

8.19 **Shared parental leave**

8.19.1 This is a flexible form of leave available to both parents and is designed to enable and encourage shared parenting in the first year of a child's life. It provides a more flexible pattern of leave than under traditional arrangements under which the mother takes extensive maternity leave and the father takes a shorter period.

8.19.2 If you give birth or adopt you remain entitled to the full 52 weeks of leave if you choose. You may take consecutive parental leave. In such cases the arrangements when you return to work remain the same as with maternity or adoption leave.

8.20 **Special leave arrangements**

8.20.1 Sympathetic consideration will be given to any hardship, difficulty or special circumstances which might necessitate a request for absence from work on compassionate grounds. Such circumstances might include bereavement or severe illness of a close relative or dependant. Whilst employees are expected to use their annual leave as far as possible for attending to such personal matters, special leave in excess of any statutory entitlement may be allowed in exceptional circumstances at the discretion of the Town Clerk. Each request will be considered on its own merits but as much advance notice as possible must be given.

8.20.2 Requests for unpaid leave will not normally be allowed except where they relate to the special circumstances described above.

8.20.3 Employees are not eligible to receive paid bereavement or compassionate time off benefits while off, or absent from work because of holiday, sickness (paid or unpaid) or for any other reason.

8.21 **Parental bereavement leave**

8.21.1 Employees are entitled to Statutory Parental Bereavement Leave (SPBL) if a child (under the age of 18) they were parents to or due to have parental responsibility for has died or been stillborn after 24 weeks of pregnancy.

8.21.2 This right applies to the:

- birth parent
- natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the child)
- adoptive parent if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'Intended parent' – due to become the legal parent through surrogacy
- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

- 8.21.3 This leave can be taken as one week, two consecutive weeks, or two separate weeks at any time within the first 56 weeks after the child's death.
- 8.21.4 During the first eight weeks following the death of a child you or someone on your behalf need only give notice to the Council that they will take SPBL before you are due to start work on the first day of leave. If you have already started work, then officially your SPBL period will commence from the following day. You may cancel it at any time during the first seven weeks as long as the leave has not started.
- 8.21.5 After eight weeks you are required to give at least one week's notice to the Council to take SPBL. You may cancel with one week's notice or re-book it by giving one week's notice.
- 8.21.6 When giving the Council notice to take SPBL you must provide the Council with the date of the child's death, when your leave will begin and whether you wish to take one or two weeks leave. Notice can be given by telephone, email, or letter.
- 8.21.7 You must have six months continuous employment to qualify for Statutory Parental Bereavement Pay (SPBP) and normal weekly earnings of at least the lower earnings limit. The rate of pay is the same as statutory family leave pay. This normally changes annually.
- 8.21.8 To claim SPBP you must confirm the following information in writing within 28 days of starting any period of SPBP. (This information can be provided at the same time as giving SPBL notice provided it is in writing):
- Name
 - Entitlement to SPBP
 - Dates of your SPBP claim
 - The date of the child's death
 - Your relationship to the child
- 8.21.9 In addition to parental bereavement leave if you qualify for:
- Maternity or parental leave and pay and your child has died or been stillborn, you are entitled to such leave and pay
 - Adoption leave and pay, then the adoption leave entitlement runs for another eight weeks from the end of the first week in which the child died, unless it would have already ended sooner
- 8.21.10 If your planned period of SPBL occurs at the same time as another statutory family leave right your SPBL leave will end at the start of that other leave. If you do wish to take SPBL at the end of the other statutory family leave period, you will need to submit a fresh notice to take leave to the Council in line with the requirements above.

8.22 **Time off to deal with a family emergency**

- 8.22.1 The Council acknowledges that there may be times when employees need to take time off work to deal with family emergencies that involve someone who depends on you. This includes husband, wife, partner, child, parent, or someone living with you as part of your family. In addition to this there may be others who rely solely on you for help and support in emergencies.

- 8.22.2 All employees are entitled to a reasonable time off work without pay or through the usage of TOIL, to deal with an emergency involving a dependant. For example, if a dependant falls ill or is injured, if care arrangements break down, or to arrange or attend a dependant's funeral. Employees must alert their line manager as soon as practicably possible of any absence to deal with a dependant.
- 8.22.3 The right for time off only covers emergencies. If you are aware that you may need time off in advance you do not qualify for this type of leave, and you will need to arrange an alternative form of leave with the Council.
- 8.22.4 If an emergency occurs and you are unable to inform your line manager in advance of your absence then you must make every effort to inform them as soon as possible so alternative arrangements can be put in place.
- 8.22.5 For other personal emergencies you should talk to your line manager who will make arrangements to grant you compassionate leave. This will be at the discretion of the Council and will depend on the individual circumstances of the emergency and the impact on the delivery of Council services your absence may have. However, the Council will be sympathetic to your need for time off, either paid or unpaid, to enable you to deal with the situation.

8.23 **Annual leave**

- 8.23.1 Your annual leave entitlement is set out in your contract of employment.
- 8.23.2 All annual leave should be agreed in advance with the Town Clerk or line manager. Please do not make arrangements to travel or any commitments until you have received authorisation granting your request for annual leave. Council is not obliged to take arrangements made prior to receiving a holiday request when it conflicts with other holiday requests.
- 8.23.3 Normally only two consecutive weeks leave can be granted at any one time. However, in certain circumstances and at the discretion of Council a longer period may be granted. Please discuss this with the Town Clerk.
- 8.23.4 The normal requests for leave should be submitted at least four weeks prior to the start date of your holiday. This may be subject to change, and you should comply with any amended procedures that are in place.
- 8.23.5 If your request results in the Council being understaffed or prejudiced then your annual leave request may be refused. Leave may be refused during particularly busy periods or if other employee requests have already been approved.
- 8.23.6 All leave requests will be considered on a first come, first served basis. Every effort will be made to ensure that holiday is spread throughout the year and on a fair and equitable basis,
- 8.23.7 All employees are encouraged to take their full holiday entitlement during the holiday year that runs from 1st April to 31st March the following year. You as the employee are responsible for scheduling and requesting your holiday entitlements so you can take time off.

- 8.23.8 Under normal circumstances employees will not normally be entitled to carry holiday over into the following year. In certain circumstances and at the Council's discretion you may be entitled to carry over a proportion of your annual leave entitlement into the following year. This will normally be a maximum of five days and any holiday entitlement not taken will be lost except in very exceptional circumstances.
- 8.23.9 If you leave the employ of the Council during the course of a holiday year you will be entitled to a pro rata payment reflecting leave accrued but not yet taken. If an employee had taken a larger proportion of their holiday entitlement prior to leaving the Council employ, then the Council will deduct that proportion from your final salary payment to reflect holiday taken but not accrued.
- 8.23.10 The Council may wish to insist that annual leave is taken at particular times of the year depending in the needs of the Council and this will be set out in your contract of employment. Council will give reasonable notice of any such requirements and that notice will be at least four weeks' notice.
- 8.23.11 Council may require annual leave to be taken during any period of notice of an employee who has resigned or been dismissed.

8.24 **Flexible working**

- 8.24.1 Requests for a change in working arrangements can be made by all employees for due consideration by Council and in accordance with changes to the rules of flexible working (effective April 2024) which are outlined in the new **Flexible & Predictable Working Pattern policy** (copy appended to this Handbook).
- 8.24.2 Requests **must:**
- Be submitted in writing stating that it is a Flexible Working request
 - Outline in detail the changes being requested
 - Outline the impact that the requested change will have on the operation of the employee's role and that of the Council and provide details of how any difficulties created will be addressed
 - Detail any previous request for flexible working
- 8.24.3 All requests will be discussed at a meeting and attendees will include the employee submitting the request, the line manager and the Town Clerk.
- 8.24.4 The employee may be accompanied by a fellow employee to support and assist in making any appropriate representations.
- 8.24.5 A request can be refused on one or more of the following grounds:
- Significant additional costs to the Council
 - A detrimental effect on the Council's ability to meet the demands and requirements of its customers
 - An inability for the Council to re-organise work amongst existing employees
 - A requirement or inability to recruit additional staff
 - A detrimental impact on the quality of services offered by the Council
 - A detrimental impact on performance

- Insufficient work that can be carried out during the periods the employee proposes to work
- Any planned organisational or staffing restructures
- Any other grounds that are allowed by regulations

8.24.6 If the Council refuses a request for flexible working, then it will explain the reasons for the refusal and may suggest an alternative arrangement. If a compromise cannot be reached then the employee's terms and conditions will remain unchanged, subject to the right of the employee to appeal against the decision.

8.24.7 The Council will endeavour to accommodate requests for flexible working arrangements from employees and all discussions will be undertaken in the spirit of cooperation.

8.24.8 Any agreed changes to working arrangements will be confirmed in writing.

8.24.9 Ad-hoc arrangements will not be affected by this but will not result in a variation of the employee's terms and conditions of employment unless specifically agreed and confirmed in writing. Council reserves the right to terminate any ad-hoc agreements and employees will be expected to return to their agreed original working arrangements.

8.24.10 Any agreed changes in working arrangements with individual employees will not create a precedent. Each request will be reviewed by Council on an individual basis and all employees must accept that Council is not obliged to grant any particular working arrangement enjoyed by one employee to another.

8.25 **Jury Service/time off for Public Duties**

8.25.1 Employees have a right to time off from work either with or without pay in a number of circumstances. These include Jury service and other duties including serving as a local councillor, magistrate, or school governor.

8.25.2 Such public positions held should be notified to the Town Clerk when accepting an offer of employment or as soon as the position is taken on, whichever is sooner.

8.25.3 Requests for time off for Public Duties will be considered with or without pay.

8.25.4 The amount of time off allowed will be at the discretion the Town Clerk and will take account of time off already received and the effect of the absence on the satisfactory running of the organisation. The maximum period will be 13 days.

8.26 **Reserved Forces**

8.26.1 Council will support employees who are members of the reserved forces. These employees have specific entitlements relating to time off work including arrangements for them to return to work following a period of deployment.

8.26.2 Employees are encouraged to discuss the implications of being a member of the reserved forces, or if they are thinking of joining, with their Line Manager or Town Clerk.

8.27 **Trade union membership**

8.27.1 All employees shall be free to join an appropriate trade union.

8.27.2 Reasonable time off with pay to undertake Trade Union duties will be allowed to recognised trade union representatives to enable you to undertake duties concerned with industrial relations within the organisation.

8.28 **Studies/Training**

8.28.1 The Council is committed to encouraging and facilitating development of all its employees. Where studies are undertaken that coincide with normal hours or work, an agreement will be made on the working arrangements with line managers and authorised by the Town Clerk.

8.28.2 The Council will usually grant paid time off for ad hoc training courses arranged through the Council as part of your personal development.

8.28.3 Where qualifications are paid for by the Council, an agreement will be put in place for the employee to repay a percentage of the cost of the course if they leave the Council's employment over a three-year period after having completed the course.

9. **SUPERVISION AND APPRAISAL**

9.1 **Supervision: one-to-one meetings**

9.1.1 The prime source of information regarding an employee's role or the organisation is a line manager. It is part of a line manager's role to inform, answer questions and listen to constructive opinions, comments, or suggestions. These meetings will be conducted by the Town Clerk as lead line manager, as part of the Council's Appraisal and Performance Management procedures.

9.1.2 The responsibility to ensure regular one to one meetings and reviews are undertaken lies with both the employee and line manager. This is an important, two-way communication and performance management process.

9.1.3 In addition, there will be regular staff meetings and team meetings to discuss work requirements, health and safety and any other pertinent matters.

9.2 **Appraisal and Performance Scheme**

9.2.1 All employees take part in the annual appraisal and performance process as detailed in the Council's Appraisal and Performance Management procedures. These are positive exercises designed to encourage and assist employees in their professional and personal development.

9.2.2 It is the Council's policy that employees should have regular supervision with their line manager and an annual appraisal.

9.2.3 A copy of the Council's Appraisal and Performance Management Scheme is available from the Town Clerk. This will include details of the annual appraisal process and the required input from each employee.

- 9.2.4 A record of the supervision or appraisal will be kept on individual personnel files. These files will be kept in accordance with the Council's Document Retention Policy.

10. TRAINING AND DEVELOPMENT

- 10.1 The Council places the highest value on training and development for its employees. The Council is committed to investment in the training of its employees so its business objectives can be achieved.
- 10.2 Training needs will be identified by employees themselves, in discussion with their line manager, usually as part of the annual appraisal process.
- 10.3 Initial and longer-term training needs will be agreed with line managers to enable employees to perform their job as effectively as possible. This process will continue as part of regular one-to-one meetings.

11. PERFORMANCE AND BEHAVIOUR AT WORK

11.1 Conduct at work

- 11.1.1 As with any employment, employees are expected to conduct themselves in an appropriate manner at all times in the workplace. This includes when representing the Council off-site or at external functions or meetings.
- 11.1.2 Many roles across the Council are of a customer service nature and it is of the utmost importance that Council employees are regarded as professional and courteous at all times. This includes when dealing with third parties such as suppliers, contractors, Councillors, and colleagues.
- 11.1.3 If there are concerns in respect of an employee's conduct at work, the matter will be discussed with the employee and the Town Clerk. Furthermore, if an employee has any concerns regarding the conduct of one of their colleagues, they should raise the matter with the Town Clerk or line manager.
- 11.1.4 In the case of a deterioration in conduct at work after concerns being raised with an employee, or a serious incident with an employee's conduct, it may be deemed necessary to invoke the Council's Disciplinary Procedure.

11.2 Ethical conduct

- 11.2.1 The Council aims to achieve the highest standard of ethical conduct and integrity in all its activities and there is an expectation that employees reflect this in their own conduct. Dishonesty will always be treated seriously, and it may amount to gross misconduct and dismissal without notice.
- 11.2.2 When acting on behalf of the Council, you are responsible for maintaining the Council's reputation and for conducting business honestly and professionally and without political bias.
- 11.2.3 You should not be openly critical of a colleague or Councillor to any third parties including colleagues and Councillors. Such acts could be considered gross misconduct for bringing the Council's reputation into disrepute.

11.3 **Gifts & Hospitality**

- 11.3.1 Any gifts and hospitality from Councillors, contractors, customers, suppliers, and potential suppliers must not give the appearance that employees of the Council may be unduly influenced in any decisions they may make under delegated authority or advice to Council in respect of contractors, customers, suppliers, and potential suppliers or in any other aspect of their work.
- 11.3.2 A record shall be kept by the Town Clerk of all gifts and hospitality, no matter what the value is, received by any employee. It is the employee's responsibility to report any gift received immediately to the Town Clerk, failure to do so could be considered gross misconduct and may lead to dismissal.
- 11.3.3 No employee may accept any gift with a value in excess of £25 from a contractors, customers, suppliers and potential suppliers without express permission from the Town Clerk.
- 11.3.4 Hospitality received should be within reason and within acceptable limits and should always be authorised by the Town Clerk.
- 11.3.5 If the Town Clerk considers that a gift received is inappropriate, you may be instructed to return it or donate to the Mayor's Charity. If you are instructed not to receive hospitality from a supplier or potential supplier, you must obey that instruction. Failure to do so may be treated as misconduct.
- 11.3.6 An employee who allows any gifts or hospitality to influence any purchasing or decisions made by the Council, this will be considered an act of gross misconduct and may result in dismissal.
- 11.3.7 It will also be an act of gross misconduct to seek to influence any other person to behave in an improper way or to confer a business advantage on you or the Council through the giving of any hospitality or gift.

11.4 **Whistleblowing**

- 11.4.1 All Council employees are encouraged to raise any concerns they may have regarding any inappropriate behaviour or wrongdoing within the Council. This includes any breach of a legal obligation, risk, health and safety, a criminal offence, a miscarriage of justice or any actions likely to damage the environment.
- 11.4.2 Concerns should be raised initially with the Town Clerk or line manager, or in the case of the Town Clerk, with the Staff Committee Chair.
- 11.4.3 Any concerns raised by employees that are in the public interest under this policy are entitled not to be subjected to any detriment as a result. However, the employee must be acting in good faith and must believe that any disclosure they make is true.
- 11.4.4 If your concern proves to be unfounded, you will be protected against any reprisals from the Town Clerk or line manager, colleagues, other employees, or Councillors by the Council. However, if you make a false allegation deliberately against your line manager, Town Clerk, colleagues, other employees, Councillors or Council then this will be treated as an act of gross misconduct and may result in dismissal.

11.4.5 If you are the subject of an allegation under Whistleblowing then you will be informed of the allegation and given the opportunity to explain the situation and put forward your case. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure of the Council.

11.5 **Data Protection**

11.5.1 All your personal data will be processed in accordance with the Council's Data Protection Policy, its Data Protection Privacy Notice, and the Data Protection Act 2018.

11.5.2 The Council reserves the right to monitor staff email, internet usage and use of communication systems in accordance with its policies in place, the Staff Handbook, and the Data Protection Act 2018.

11.5.3 You must comply with your obligations under the Data Protection Act 2018, the Council's Data Protection Policy and any other relevant policies and legislation.

11.6 **Appearance**

11.6.1 The Council does not seek to inhibit individual choice in relation to an employee's appearance. However, employees are expected to dress appropriately at all times in relation to their role, and to ensure their personal hygiene and grooming are properly attended to prior to presenting themselves at work.

11.6.2 Employees who are supplied with a uniform or other apparel, must wear it at all times when required to do so and must ensure it is clean and presentable.

11.6.3 If an employee has any queries regarding what is appropriate, they should speak to the Town Clerk or line manager.

11.7 **Council Premises**

11.7.1 Employees may be issued with an identity badge / appropriate PIN code allowing access to their workplace, which remains the property of the Council. Loss of a badge / PIN code (or accidental disclosure to someone) must be reported immediately to the Town Clerk.

11.7.2 Employees must not bring any unauthorised person on to Council property without prior agreement from the Town Clerk, unless authorised to do so as part of their job. In these circumstances, employees are responsible for ensuring that visitors are appropriately monitored during their stay, and that they do not access areas or Council property inappropriately.

11.7.3 Employees must not remove any Council property from Council's premises unless prior authority from the Town Clerk has been given.

11.8 **Personal property**

11.8.1 Any personal property such as jewellery, cash, credit cards, clothes, cars, motorbikes, or bicycles etc. left on or at Council's premises is done so entirely at employees' own risk and are strongly advised not to leave any valuables unattended, either on Council premises, Council vehicles or in their own

vehicle. The Council does not accept liability for loss or damage to any personal property whatsoever.

11.9 Telephones and correspondence

11.9.1 Council telephones, mobile phones or postal facilities must not be used for private purposes without prior permission from the Town Clerk. Abuse of these facilities may be considered a potential disciplinary matter.

11.10 Use of computers and IT

11.10.1 Internet access and email for personal use is permitted during unpaid break times only. However, abuse of computer facilities may be considered a potential disciplinary matter.

11.10.2 Under the Health & Safety (DSE) Regulations 1992 (amended 2002), the Council, as an employer, is required to provide eye tests, on request, to all current or new Display Screen Equipment (DSE) users.

11.10.3 The Council is also required to contribute towards the cost of 'basic spectacles' if these are needed for DSE use only and therefore in order to carry out an employee's role with the Council.

11.11 Data protection and confidentiality

11.11.1 Employees must be aware of and comply with all elements of the Data Protection Act 2018 (DPA 2018), and the UK General Data Protection Regulation (UK GDPR). No employee should disclose any confidential information either while employed or after having left the Council, unless specifically given permission to do so. Any breach of confidentiality may be dealt with under the disciplinary procedures and may lead to dismissal.

11.12 Smoking

11.13.1 In the interests of the health, safety and comfort of employees and customers and to comply with legislation, the Council operates a no smoking policy. Any employee found to be smoking inside Council premises will be subject to disciplinary procedures. This policy includes prohibiting the use of electronic cigarettes.

11.13 Consumption of alcohol and drug abuse

11.13.1 The Council forbids the consumption of alcohol and use or storage of drugs on its premises, nor will it permit any employee to work whilst under the influence of alcohol or drugs. Any such instances will be dealt with under the disciplinary procedure and may lead to dismissal.

11.14 Professional Conduct and Public Statements

11.14.1 All employees have a responsibility to act in good faith and to promote the good name and effectiveness of their employer. Employees are expected to be trustworthy and to conduct themselves reasonably at all times.

11.14.2 No employee is permitted to give press or other media interviews or assist with or be involved in the publication of any article relating to the business affairs of the Council or in relation to the Council's intellectual property, without prior consent from the Clerk.

11.15 **Outside activities**

11.16.1 Employees must not engage in any activity which may prejudice the performance of their duties as an employee of the Council. If an employee finds themselves in a situation where there is a conflict or potential conflict of interest between their outside activities and their duties as an employee of the Council, employees must immediately report the matter to the Town Clerk.

11.16 **Conflict of interest**

11.16.1 Employees should not, directly, or indirectly, engage in, or have any interest, financial or otherwise, in any other business enterprise which interferes or is likely to interfere with their independent exercise of judgment in the Council's best interest.

11.16.2 Generally, a conflict of interests exists when an employee is involved in an activity:

- Which provides products or services directly to, or purchase products or services from the Council.
- Which subjects the employee to unreasonable time demands that prevent the employee from devoting proper attention to their responsibilities to the Council.
- Which is so operated that the employee's involvement with the outside business activity will reflect adversely on the Council.

11.16.3 Should an employee be in any doubt as to whether an activity involves a conflict, they should discuss the situation with their line manager.

11.17 **Mobile phones**

11.17.1 In order to preserve the smooth running of the business and to avoid disruption to employees, personal mobile phones should not be used except in cases of emergencies. Mobile phones should either be switched off or silenced during working hours. Work landline numbers may be given out to friends and relatives for use in emergencies.

11.18 **Expenses**

11.18.1 The Council recognises that no employee, paid or unpaid, should be placed at financial disadvantage as a result of their work for the organisation.

11.18.2 Any travel, mileage, subsistence expenses incurred by an employee and approved by the Town Clerk will be paid at the agreed NJC rate laid down at the time. The appropriate claim form can be obtained from the Town Clerk.

- 11.18.3 Where practical, the purchasing of equipment, sundries or other items required to carry out an employee's job, will be done through Council suppliers. In the event where this is not possible and an employee has had to purchase an item themselves, the Town Clerk must give approval in advance to authorise an expense claim.
- 11.18.4 Claim forms can only be processed with relevant receipts; reimbursement cannot be made where there is no receipt and proof for the payment having been made.

11.19 Dignity at work

- 11.19.1 Employees should be able to undertake their employment at the Council free from bullying and harassment. Any allegations of this nature will be taken very seriously by Council. The Council will not tolerate harassment or bullying behaviour.
- 11.19.2 The Council expects all its employees to behave with civility and respect towards each other and to anyone connected to the Council including members of the public. In particular any offensive behaviour which relates to sex, race, age, disability, gender reassignment, sexual orientation, married or civic partnership status, religion or belief will be treated as gross misconduct and will usually lead to dismissal.

12. DISCIPLINARY PROCEDURE

- 12.1 The Council aims for high standards from its employees. The Disciplinary Procedure enables the organisation to take appropriate action against employees where their performance or conduct is unsatisfactory.
- 12.2 In order to ensure that employees are treated fairly and consistently, the Council has adopted a Disciplinary Procedure which is included as Addendum 3 to this handbook.

13. GRIEVANCE PROCEDURE

- 13.1 The Council aims to encourage employees to have an open and honest relationship with their line manager and colleagues and to raise any concerns about any aspect of their employment in an appropriate manner.
- 13.2 The Council's adopted Grievance Procedure is included as Addendum 3 to this Handbook.
- 13.3 This procedure should be used to settle all disputes or grievances which employees may wish to raise concerning other employees or volunteers, their work, the organisation, or other matters relating to their employment or volunteering. The purpose is to settle any grievance efficiently and effectively.

14. EQUAL OPPORTUNITIES

- 14.1 The policy of the Council is to promote equality, harmony, and respect amongst individuals and to eliminate discrimination, harassment, and victimisation of all kinds. Every employee must ensure that their conduct conforms to the standards set out in this policy statement.

- 14.2 The Council is an equal opportunities employer. Any decisions relating to recruitment, promotion, dismissal, or any other aspect of employment will be based on the needs of the Council and not any assumption based on sex, race, age, disability, gender reassignment, sexual orientation, married or civic partnership status, pregnancy or maternity, religion, or belief. The Council is committed to this and expects its employees to share that commitment.
- 14.3 If an employee is concerned with any discriminatory behaviour, assumptions, or attitudes within the workplace they should raise it with the Town Clerk in the first instance. Employees will be entitled to raise any experience of this behaviour towards them free of any reprisals providing they are acting in good faith.

15. HEALTH AND SAFETY

- 15.1 The Council has a legal duty to protect the health and safety of its employees and others. The Council takes this responsibility seriously and has made health and safety a management priority. The Council expects its employees at all levels to take care to avoid injury to themselves and others and to co-operate with the implementation of the Council's health and safety arrangements.
- 15.2 Detailed Risk Assessments have been carried out and cover all the operations undertaken by Council. They have been developed to ensure that all aspects of work required can be undertaken safely. If you have any concerns about health or safety, please report them immediately to the Town Clerk or line manager. The Council always takes any concerns relating to health and safety with the utmost seriousness.
- 15.3 The Council has adopted a Health & Safety Policy which contains details of these responsibilities and arrangements. All employees are required to be proactive and familiarise themselves with the Health & Safety Policy Statement and all risk assessments relevant to your work activities. A copy of these is available from your line manager and published on the [HTC website](#).
- 15.4 All employees are required to comply with all instructions, rules and procedures relating to health and safety. Failure to do so may amount to gross misconduct.
- 15.5 All employees must wear any PPE (Personal Protective Equipment) provided if and when required whilst undertaking their duties (including high viz jackets). Failure to do so will be treated as gross misconduct which will usually result in dismissal.

16. TERMINATION OF EMPLOYMENT

16.1 Termination

- 16.1.1 If an employee wishes to resign, the employee must give the required written notice to their line manager as stated in their contract of employment. If the Council decides to terminate an employee's employment, they will be notified in writing, as per their contract of employment.
- 16.1.2 The Council may give the equivalent pay in lieu of notice.

- 16.1.3 On leaving the Council, employees must return all items of Council's property eg. mobile phone, laptop, and documentation. Failure to do so may incur a deduction from their final salary payment.
- 16.1.4 The Council may require an employee to take 'garden leave' and has no obligation to provide work during this time, but all contractual benefits will continue to apply.

16.2 Retirement

- 16.2.1 In line with current legislation, the Council does not stipulate an age when it expects employees to retire. It is, however, the Council's policy to have regular workplace/appraisal discussions with all employees where they can discuss performance and any development requirements they may have as well as their future aims and aspirations. Employees and the Town Clerk or line manager can also use this opportunity to discuss retirement planning should the employee wish to do so.
- 16.2.2 Employees should ensure to inform the Town Clerk or line manager at least six months before they plan to retire to ensure all appropriate arrangements are made (eg. sourcing a replacement, pension arrangements etc.).

16.3 Exit interview

- 16.3.1 The Council conducts an exit interview for all employees leaving the organisation. This will ordinarily be conducted by two employees usually the Town Clerk and your line manager unless there is a reason not to. The interview will follow a specified formula and you will be given a form to complete prior to the interview. The Council values full, frank and honest feedback at these interviews in order that it may learn from your experience at the Council.

17. ADDENDUMS – (CHECKLISTS AND PROCEDURES)



ADDENDUM 17.1: CHECKLIST FOR MANAGING NEW EMPLOYEE INDUCTION

Name:				
Job role:				
Name of new starter:				
Start date:				
Information to cover during induction	Time to be undertaken	Date covered:	Covered by (initials):	Signed employee
Offer letter detailing start date, conditions of employment	Prior to start date			
Proof of right to work in UK	Prior to start date			
Supplied copy of Job description	Prior to start date			
Signed contract of employment	Prior to start date			
Arrangements for first day	Day 1			
Take out for a coffee to have informal chat	Day 1			
Introduction to colleagues	Day 1			
Council values	Day 1			
Council background information	Day 1			
Supply copy of staff handbook, including Grievance and disciplinary procedures and pension details	Day 1			

Supplied a list of HR policies not included in the staff handbook and all other policies of the Council	Day 1			
System log in details	Day 1			
Health and safety policy, requirements, and relevant risk assessments	Day 1			
Tour of the building	Day 1			
Car parking arrangements	Day 1			
Probationary period requirements and review periods	Day 1			
Job role and responsibilities	Day 1			
Council staff structure and responsibilities	Week 1			
Councillors and positions within the Council	Week 1			
Council committee structure	Week 1			
Training plan including systems training	Week 1			
Explanation of data protection privacy notice and other data protection policies	Week 1			
Location of employee handbook	Week 1			
Line manager expectations	Week 1			
Security information	Week 1			

Email and internet policies and IT provision	Week 1			
Equal opportunities policy	Month 1			
Council processes e.g., booking holidays, reporting absence	Month 1			
Tour of other Council facilities	Month 1			
Payment process as per financial regulations / scheme of delegation	Month 1			
Remaining relevant Council policies and procedures	Month 1			
Council aims and objectives	Month 2			

Certified as complete

Signed Manager

Signed Employee

ADDENDUM 17.2: INFORMAL PROCEDURE FOR RAISING A COMPLAINT

1. INTRODUCTION

- 1.1 Employees of the Council may at times wish to raise a problem or concern with regard to their working environment. Issues may include:
- Concerns regarding working practices
 - Health and safety issues
 - Behavioural issues of fellow employees or Councillors
 - Bullying/harassment
 - Working conditions
- 1.2 The Council would encourage everyone to try to resolve any issues informally in the first instance. The process to raise an informal complaint is covered in the section below.
- 1.3 Please note that if an employee of the Council wishes to raise a complaint against a Councillor, the Council can only consider informal complaints. If the complainant wishes to make a formal complaint against a Councillor, then they must raise it with the Monitoring Officer. Only complaints that do not allege a breach of the Code of Conduct can be informally dealt with by Council, in particular an issue affecting the Council's duty of care towards its employees. Please ask the Town Clerk for assistance in contacting the Monitoring Officer.
- 1.4 Outlined below are three sections relating to the way employees, the Town Clerk or a Councillor can raise a complaint against either an employee or a Councillor.

2 INFORMAL COMPLAINTS RAISED BY AN EMPLOYEE

- 2.1 If you have a problem at work and wish to raise a complaint, all employees are encouraged to raise it informally with the Council in the first instance.
- 2.2 You may feel nervous about raising a problem, but the Council would like to resolve any problems as quickly as possible without going through a formal procedure.
- 2.3 Ordinarily the complaint will be discussed with the Town Clerk and your line manager. If there is a reason either cannot be involved, then the Council will make arrangements for an appointed representatives of the Staff Committee and the Town Clerk or line manager to hear the complaint.

Have an informal talk first

Employees are encouraged to initially talk to someone they feel comfortable with first ie. the Town Clerk or line manager. An informal chat can range from a quiet word to highlight the issue to a more structured meeting. You can also talk to a trade union representative if you're a member of a trade union.

2.2 Preparing for an informal meeting

If an informal meeting is arranged with the Town Clerk or line manager, the following preparation is recommended:

- Check the ACAS website for information about your problem and how it might be dealt with

- Prepare what you want to say. Think about how you wish to explain the issues that you are unhappy about

- Think about what you would like the Council to do to help resolve the issue.

You may wish someone to accompany you to the informal meeting. You could be accompanied by:

- A work colleague
- A trade union representative
- An official employed by a trade union

It is at the Council's discretion to agree if you can bring someone else to the meeting. If discrimination law applies, then the Council will allow someone to come with you to help remove any disadvantage.

2.3 **The Meeting**

At the meeting you can:

- Explain what the problem is and what you think should happen
- Show the Council evidence you may have to support your concerns
- Take notes of the meeting as an aide memoir

Resolving the problem will be a two-way process. The Council will allow you to explain the problem. You should also listen to what the Council has to say.

It might not always be possible to solve the problem in the way you would like, but the Council will endeavour to find a solution that works for both parties.

Raising the problem formally

If you cannot reach a solution to the problem, you can raise the issue formally. This is known as 'raising a grievance' and is done following the formal grievance procedure set out below.

3 INFORMAL COMPLAINTS RAISED BY THE CLERK

3.1 Council Clerks are positioned between Councillors and Council employees. It is their job to oversee any employee issues as Head of Paid Services and to resolve them informally if they can.

3.2 There are times when the Town Clerk may have an issue with either an employee or a Councillor. The informal process for raising a concern is outlined below:

3.3 If the complaint is against a fellow employee, then the Town Clerk will arrange an informal meeting with an appointed representative of the Staff Committee. The Town Clerk will outline the issue, provide evidence, and suggest remedial action.

3.4 Having raised the concern, the appointed representative of the Staff Committee will meet with the employee concerned and discuss the issue with them. They will try to reach a solution based on the remedial action suggested by the Town Clerk, advice from the Council's HR advisor and their own solutions.

3.5 If the concern cannot be addressed informally, then the Town Clerk will be informed and may then wish to submit a formal complaint which will go through the formal process.

- 3.6 If the complaint is against a Councillor, then the Town Clerk will arrange an informal meeting with the two of the following options. The options will depend on whether one of the three Councillors below is the subject of the informal complaint:
- Chair of the Council
 - The Vice Chair of the Council
 - The Chair of the Staff Committee
- 3.7 The Town Clerk will outline the issue, provide evidence, and suggest remedial action. The relevant Chair will then hold an informal meeting with the relevant Councillor and discuss a potential solution.
- 3.8 Solutions may include mediation provided by an independent mediator, support from the Council's HR advisor.
- 3.9 If the complaint cannot be resolved informally then the Town Clerk will be advised that they may consider submitting a formal complaint to the Monitoring Officer.
- 3.10 The Council will undertake to ensure that both the Town Clerk and the Councillor against which the complaint is made are provided with support and that the informal procedure will not create a situation where one of the party's position becomes untenable. Equally the Council will ensure it maintains its duty of care towards the Town Clerk as an employee.

4 INFORMAL COMPLAINTS RAISED BY A COUNCILLOR AGAINST AN EMPLOYEE OR THE TOWN CLERK

- 4.1 There may be times when a Councillor may have an issue or problem with either an employee or the Town Clerk. The informal process for raising a concern is outlined below:
- 4.2 If the complaint is against an employee, then the Town Clerk will arrange an informal meeting with the Councillor to discuss the complaint. The Councillor will outline the issue, provide evidence, and suggest remedial action.
- 4.3 The Town Clerk will then meet with the employee concerned and discuss the issue with them. They will try to reach a solution based on the remedial action suggested by the Councillor and the Clerk, advice from the Council's HR advisor and their own solutions.
- 4.4 If the complaint cannot be addressed informally, then the Town Clerk will inform the Councillor who may then wish to submit a formal complaint, which will go through the formal Grievance procedure adopted by the Council.
- 4.5 If the complaint is against the Town Clerk, the following process will be followed: The Councillor will arrange an informal meeting with the two of the following options. The options will depend on whether one of the three Councillors below the person is making the informal complaint:
- Chair of the Council
 - The Vice Chair of the Council
 - An appointed representative of the Staff Committee

The Councillor will outline the issue, provide evidence, and suggest remedial action. The relevant Chair will then hold an informal meeting with the Town Clerk and discuss a potential solution.

Solutions may include mediation provided by an independent mediator, or support from the Council HR advisor.

If the complaint cannot be resolved informally, then the Councillor will be advised that they may consider submitting a formal complaint to Council against the Town Clerk that will go through the formal Grievance Procedure adopted by the Council.

The Council will undertake to ensure that all the parties that are involved in the complaint are provided with support and that the informal procedure will not create a situation where one of the party's positions becomes untenable. Equally the Council will ensure it maintains its duty of care towards the Clerk as an employee.

ADDENDUM 17.3: DISCIPLINARY AND GRIEVANCE PROTOCOLS

1. INTRODUCTION

- 1.1 Following the High Court case of R (Harvey) v Ledbury Town Council [2018] EWHC 1151 (Admin) on 15 May 2018, the way Councils deal with an employee's grievance against a Councillor has changed.
- 1.2 Employees are not able to use the Council's formal Grievance Procedure if the complaint can be dealt with under the Council's Code of Conduct. If the complaint cannot be resolved informally, including the use of mediation, the complaint can only be dealt with by the Principal Authority's Monitoring Officer.
- 1.2 Town and Parish Councils have no power to impose sanctions against Councillors that fall under the Code of Conduct. However, if the complaint is not a Code of Conduct matter, then it can be dealt with under the Council's Grievance Procedure. The Council must also adhere to its duty of care to its employees.

2. DUTY OF CARE

- 2.1 The Council has an ongoing duty of care to its staff, and this continues to be the case if an employee makes a complaint to the Monitoring Officer.
- 2.2 The Council will take all steps that are reasonably possible to ensure the employees' health, safety, and wellbeing. The Council will therefore ensure that:
- Each employee has a clearly defined job description
 - Relevant risk assessments are undertaken
 - Adequate training is provided
 - Feedback on performance and following appraisals is provided
 - Employees do not work excessive hours
 - Areas for staff breaks are provided to enable rest and relaxation
 - Protections are in place from bullying and harassment from colleagues or third parties
 - Employees are protected from discrimination
 - Employees are protected from bullying
 - Employees are able to raise concerns easily and safely
 - Consult employees on issues that are concerning them
- 2.3 The Council will do all it is able to keep employees safe from harm.
- 2.4 Employees also have a responsibility for their own health and wellbeing at work. Although employees must obey lawful instruction, they can refuse to undertake anything that is not safe or may be damaging to their health.

3 UNDERSTANDING ROLES WITHIN THE COUNCIL

- 3.1 All Council staff are employed by the Council as the Corporate Body. Councillors therefore have no inherent authority to instruct staff in their duties.
- 3.2 Councillors will not involve themselves in the day-to-day operations and running of the Council.
- 3.3 The Council has adopted a Scheme of Delegation and a Member/Officer protocol to help clarify and manage the roles of both Councillors and Staff.

- 3.4 If a Councillor has any concerns about the action of any member of staff, they should raise their concern with the Town Clerk. If it is regarding the Town Clerk, they should raise it with the Council's Chair of the Staff Committee. They should not raise it directly with the member of staff.

4 MEETINGS

- 4.1 The disciplinary and grievance arrangements will be dealt with by the appointed representatives of the Staff Committee at the initial stages, for reporting purposes to the Staff Committee.
- 4.2 If an appeal is lodged following decision, an Appeals Sub-Committee of three Councillors (not including the appointed representatives of the Staff Committee or those with a direct involvement in the matter), shall be formed.
- 4.3 The grievance or disciplinary meeting shall be held as soon as possible and the employee will be given reasonable time to prepare. The proceedings will be minuted by a delegated officer if possible.
- 4.4 Employees may be accompanied to the meeting and should make reasonable efforts to attend. Employees have a statutory right to be accompanied by a workplace colleague, a trade union representative, or a trade union official to a grievance, disciplinary or appeal meeting. An employee's request to be accompanied must be reasonable.
- 4.5 If the employee's companion is unavailable to attend the meeting, then the employee can request a postponement and can propose an alternative date within five working days of the original meeting unless it would be unreasonable not to propose a later date. If the employee does not attend the meeting, then they must be provided with the opportunity to be represented and to make written submissions.

5 DECISIONS

- 5.1 Employees will be informed promptly in writing of the Council's decision. If possible, the decision will be handed directly to the employee.
- 5.2 The decision will include a notification to the employee that they have a right to appeal.
- 5.3 The form of the Appeal will depend on the individual circumstances of each case. They may range from a review of the original decision (an assessment of whether the grievance was fairly decided on the evidence heard) to a complete re-hearing. A re-hearing will mainly be heard again if an employee was dismissed for reasons that were not part of the disciplinary process.
- 5.4 Council will not increase disciplinary sanctions at the appeal stage except in exceptional circumstances.

6 INVESTIGATIONS

6.1 Misconduct

In the case of misconduct, an investigation into the matter will be carried out as soon as possible by the Council. In all cases apart from minor misconduct, an independent investigator will be appointed by the Staffing Committee. The investigator will be independent, fair, and objective and ideally professionally qualified in HR or an experienced investigator. The investigator can be someone from outside of the Council if necessary.

The investigator will submit a report with recommendations to the Staff Committee to decide whether further action will be taken. Employees do not have a statutory right to be accompanied to an investigatory meeting, but they are permitted to be accompanied.

6.2 Suspension

In certain situations, the Council may decide to suspend the employee with pay whilst the investigation is being undertaken. The investigation will be conducted as expeditiously as possible. Suspensions will normally be appropriate when:

- Working relationships have broken down
- The council has good reason to believe that the employee may interfere with the investigation
- There is a risk to the employee's health or safety
- The work of the Council may be damaged or disrupted

Suspension with pay will only be used as a last resort and any suspension will continually be reviewed by Council to ensure that it does not continue unnecessarily.

Suspensions are only temporary, do not assume guilt and are not a disciplinary action.

6.3 Mediation

Mediation is a confidential dispute resolution process that will require the consent of the Council and the employee. Mediation may be appropriate at any stage of the disciplinary procedure especially when communications have broken down or there are allegations of bullying and harassment. Mediators will not make judgements or determine outcomes. Their main role is to ask questions to help uncover underlying problems, assist the parties to understand the issues and to clarify the options available to help resolve any differences.

7. DATA PROTECTION

- 7.1 All information relating to grievance and disciplinary matters will be restricted only to those involved in the grievance/disciplinary process, on a strict need to know basis. Any disciplinary action or grievance outcome will remain confidential.
- 7.2 The employee's disciplinary and grievance records will be held by Council under the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.
- 7.3 Personal data may be contained in documents used in a disciplinary or grievance procedure such as letters emails, employee statements and GP records.
- 7.4 GDPR only allows personal data to be used for the purpose specified and will not be held any longer than necessary, after which it will be destroyed.
- 7.5 Sensitive personal data such as GP records are subject to stricter regulations.
- 7.6 The Council's GDPR obligations are contained in its Data Protection Policy.

ADDENDUM 17.3: DISCIPLINARY AND GRIEVANCE PROCEDURES

1. PURPOSE AND SCOPE

- 1.1 This procedure is designed to help and encourage all Council employees to achieve and maintain high standards of conduct whilst at work or representing the Council. The aim is to ensure consistent and fair treatment for all. This procedure is prepared in accordance with the dismissal and dispute resolution procedures as set out in the Employment Act 2008 and the ACAS Code of Practice March 2015.

2. PRINCIPLES

2.1 Underlying principles

- No disciplinary action will be commenced against an employee until the case has been fully investigated.
- At every formal stage in the procedure, the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.
- At all formal stages the employee will have the right to be accompanied by a trade union representative or work colleague during the disciplinary interview.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty of dismissal without notice or payment in lieu of notice may be applied.
- An employee will have the right to appeal against any disciplinary penalty imposed.
- The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

2.2 Investigation

Any investigation into the conduct, performance or behaviour of an employee is outside the disciplinary procedure and must be conducted, no matter how brief, before the Disciplinary Procedure is implemented.

Ordinarily the investigation will be conducted by the line manager or the Town Clerk whichever is appropriate. If the allegation is regarding the Town Clerk, the investigation will be conducted by an external expert previously selected by the Staff Committee for such purposes and aware of their role. This will not be the Chair making a decision or instruction on behalf of the Council as it is fulfilling a requirement of this policy.

2.3 Councillors raising concerns regarding the performance of an officer

If a Councillor is concerned about the level of performance of an officer, they should confidentially make the Town Clerk aware of their concerns. The Councillor should detail the concerns and what outcome they would like to see. The Town Clerk will investigate the allegations and determine if disciplinary action is required or if the matter can be resolved by alternative means, such as informal action.

If the officer, the Councillor is concerned about is the Town Clerk, they should make the Chair of the Staff Committee aware in order that they may discuss the matter informally with the Town Clerk and, if necessary, after that, invoke in accordance with this policy the previously agreed investigation procedures.

3. THE PROCEDURE FOR MISCONDUCT AND GROSS MISCONDUCT

3.1 Misconduct

3.1.1 The following list provides examples of misconduct which will normally give rise to formal disciplinary action:

- Unauthorised absence from work
- Persistent short-term and/or frequent absences from work without a medical reason
- Lateness for work or poor time keeping
- Inappropriate standard of dress
- Minor breaches of Health and Safety or other rules or procedures
- Failure to perform his/her job to the standard expected or in line with your job description/objectives
- Time wasting
- Disruptive behaviour
- Misuse of the Council's facilities (eg. telephones, computers, email, or the internet)
- Refusal to carry out reasonable requests or instructions from a line manager
- Smoking in unauthorised areas
- Failure to follow an agreed Council Policy or Procedure

This list is not exhaustive, and offences of a similar nature may result in disciplinary action being instigated. Persistent or frequent absence on medical grounds and long-term sickness absence will be addressed using a procedure to determine incapacity.

3.1.2 The following list provides examples of offences which are normally regarded as gross misconduct:

- Theft, fraud, deliberate falsification of records, or other acts of dishonesty

- Fighting, assault on another person
- Deliberate damage to property of the Council, its workers, or members
- Gross incompetence in the conduct of work
- Gross negligence which results in the Council, its employees or third parties being put at risk.
- Being under the influence of illegal drugs or excessive alcohol
- Bullying including but not limited to acts of incitement towards or actual acts of discrimination, harassment or victimisation including on the grounds of sex, race, colour, ethnic origin, disability, sexual orientation, age, religion, or belief
- Serious acts of insubordination
- Serious breach of duty to keep information of the Council, its service providers, and its clients confidential
- Unauthorised entry to computer records
- Serious breach of the Council's Security, Health & Safety, Confidentiality or Email and Internet
- Any action, whether committed on or off the premises, that is likely to or does bring the Council into disrepute
- Serious negligence which causes or might cause significant loss, damage, or injury
- Accepting bribes or incentive payments from suppliers
- Unauthorised use of Council funds or credit
- Abuse of Council debit cards or supplier accounts
- Working with an external agency to provide information which would be detrimental to and cause commercial risk to the Council.

This list is not exhaustive and other offences of a similar gravity may result in disciplinary action being instigated at gross misconduct level which carries a potential penalty of dismissal.

3.2 **Selection of Staff Committee, Disciplinary and Grievance Panel and Appeals Sub-Committee**

The Staff Committee will allocate two Councillors to the Disciplinary and Grievance Panel at its first meeting of the municipal year. Should the need arise, it shall also allocate three different Members to an Appeals Sub-Committee at a later stage. The Town Clerk will deal with all first and second stage allegations.

The Staff Committee will determine how an allegation against the Town Clerk is to be investigated should the need arise with outside professional support to be utilised (if required). It will be for the Chairman of the Staff Committee or, in their absence, the Vice-Chairman or the Mayor/Council Chairman to contact the external support and

let them know that they will be needed in accordance with a decision of the Committee.

3.3 **Informal action**

Minor misconduct will usually be dealt with informally, usually in a confidential one-to-one meeting between the employee and the Town Clerk or line manager. In the case of the Clerk being the individual against whom there is a complaint or allegation, the matter shall be handled discreetly by the Chair of the of the Staf Committee and involve an informal meeting initially. However, where the matter is more serious or informal action has not brought about the necessary improvement, the following procedure shall be used.

3.4 **Formal action**

3.4.1 The level of warning an employee may receive for misconduct/gross misconduct will depend on how serious the Council considers the alleged actions to be and the employee's previous conduct in all the circumstances. In the event of alleged gross misconduct, the formal process may commence at Stage 3 (see 3.5 below).

3.4.2 **Disciplinary Letters**

If there is a concern about an employee's conduct or behaviour, then a letter will be given to the employee advising them of the allegation(s) and reasons why this is unacceptable. The letter should invite the employee to attend a meeting at which the alleged misconduct will be discussed and will inform the employee of their right to be accompanied to the meeting. The letter will specify at which stage the disciplinary procedure is being invoked (see three stages below) and if invoked at Stage 3 for gross misconduct, the letter will warn that a potential outcome could be dismissal. The time, date and venue of the meeting will also be advised. Any documents to be produced at the meeting will also be provided.

3.4.3 **Disciplinary Meetings**

The time and location of a disciplinary meeting should be agreed with the employee and held in a private location with no interruptions. This will normally be without undue delay but allowing the employee time to prepare their case, where practical; within 5 days of the letter being sent. At the meeting the Town Clerk (or in the case of the Town Clerk being disciplined, the Chairman of the Staff Committee) shall state the complaint against the employee and go through the evidence which has been gathered. The employee will also be allowed to ask questions, present evidence and call witnesses providing that advance notice has been given that they will do so. The Hearing Panel shall be made up of three members of the Staff Committee and will sit as the Disciplinary Sub-Committee. The three Councillors on the panel shall be

selected so as not to have any previous involvement in the case other than the Chairman who may have investigated the case of the employee.

If the employee is unable to attend the meeting due to unforeseeable reasons out of their control (eg. illness or their chosen person to accompany them is unavailable), then the Council will reasonably rearrange the meeting within a 5-day period. However, if the employee fails to attend the meeting without good reason, then the meeting can be held in the employee's absence.

3.5 Outcomes and penalties

Stage 1 - First Stage Written Warning

In the instance of a first complaint that conduct does not meet acceptable standards, the employee shall normally be given a First Stage Written Warning. He or she will be advised:

- of the reason for the warning,
- that it is the first stage of the disciplinary procedure,
- of the improvement that is required and the timescales for achieving this improvement,
- of a review date and any support available (where applicable)
- that action under Stage 2 or 3 will be considered if there is no satisfactory improvement, and
- of his or her right of appeal.

Stage 2 – Final Written Warning

If there is a failure to improve and conduct or performance is still unsatisfactory or the misconduct is sufficiently serious, a Final Written Warning shall be given to the employee. This shall give details of the complaint, warn that dismissal may result if there is no satisfactory improvement over a specific given timescale and will advise of the right of appeal.

Stage 3 – Dismissal or other sanctions

If conduct is still unsatisfactory and the employee still fails to reach the prescribed standards, or where the Council reasonably believes gross misconduct has occurred, dismissal may result. The employee shall be given a written statement of allegations against him/her, invited to a meeting, and then be notified in writing of the reasons for the decision taken at the hearing. Penalties at this stage may include dismissal with notice or summary dismissal (i.e. without any notice), Final Written Warning with/without demotion, loss of pay or loss of seniority. If dismissal is the outcome,

the employee will be advised of the date on which employment will terminate. In all cases, the employee has a right to appeal.

3.5.1 Time Limit for Warnings

Disciplinary warnings will remain in force for a specified period and the time period shall be advised to the employee in writing. First Stage Written Warnings shall normally be valid for a period of six months and Final Written Warnings normally for a period of twelve months.

Assuming there are no further instances of misconduct or poor performance during this period, then the warning shall no longer be 'live' and will thus be disregarded for future disciplinary purposes, except in agreed special circumstances. In a circumstance where misconduct is so serious that it cannot be realistically ignored for future disciplinary purposes, then this will be set out very clearly in writing with the warning itself.

If there are occasions where an employee's conduct is satisfactory throughout the period of the warning being in force but only to worsen very soon after and a pattern emerges that there is evidence of abuse, the employee's disciplinary record will then be borne in mind in deciding how long a warning should last.

3.6 Suspension

If an employee is accused of an act of gross misconduct, then they may be suspended from work on full pay while the Council investigates the alleged offence. Only the appropriately convened committee or Council Officer with delegated powers has the power to suspend. This enables a swift and thorough investigation to occur. Whilst suspended pending disciplinary investigation, regular contact with a nominated person at the Council will be maintained although access to premises, equipment or systems may be denied. The individual/s who compiles evidence for the disciplinary hearing must play no part in the subsequent decision-making to ensure impartiality. The Council will need to consider the implications of such arrangements on its hearing and appeal panel plans early in the disciplinary process.

3.7 Appeals

The Appeals stage of the disciplinary process is part of the Code of Practice to which an employee has a right. It can be exercised after any of the stages of disciplinary action for misconduct/poor performance or gross misconduct.

An employee who wishes to appeal against a disciplinary decision should inform the Town Clerk (or in the case of the Town Clerk, the Council Chairman within five working days, in writing and giving reasons for the appeal. An appeal may be raised if:

- the employee thinks the finding or penalty is unfair
- new evidence has come to light
- the employee thinks that the procedure was not applied properly

The appeal shall be heard by an Appeals Sub-Committee made up of elected Members who have not been involved in the original disciplinary hearing, who shall view the evidence with impartiality. The employee shall have the right to be accompanied by a colleague or accredited Trade Union official or lay member at the appeal hearing. The outcome of the appeal and reasons for it, shall be advised to the employee as soon as possible after the meeting and confirmed in writing.

At the Appeal Hearing, any disciplinary penalty imposed shall be reviewed but it cannot be increased. The decision taken at the appeal hearing shall be final.

3.8 **The right to be accompanied**

At each formal stage of the disciplinary interview, an employee has the right to be accompanied and can make a reasonable request for such a person to accompany them. An employee can ask any other employee or a trade union representative or an appropriately accredited official employed by a trade union to accompany them, to give support and help them prepare for the disciplinary interview. This right is enshrined in the 1999 Employment Relations Act. As this is an internal process, there is no provision to have any external person accompany or represent an employee e.g. partner, parent, solicitor etc. The companion can address the hearing, put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee. The companion cannot however answer questions on the employee's behalf or address the hearing if the employee does not wish him/her to or prevent the employee explaining their case.

3.9 **Hearing Panels**

The Council establishes a Staff Committee at each Annual Meeting. At least two members of this Committee shall be delegated to hear the original disciplinary. The appeal shall be heard by two separate Councillors from the Committee or allocated from elsewhere.

Where disciplinary action is taken against the Town Clerk or for some reason the Town Clerk is unable to be involved, the Council shall look to appoint an external expert to assist throughout the process. This will not be the Chair / Councillor making a decision or instruction on behalf of the Council as it is fulfilling a requirement of this policy.

3.10 **Note taking**

It is highly recommended that a note-taker be provided to every meeting/hearing which arises because of a disciplinary process, as Employment Tribunals are particularly keen to view contemporaneous notes of events which have led to an employment dispute. If both parties agree, the meeting can be audio recorded. The Council shall need to give this requirement careful consideration in order to respect employee confidentiality.

3.11 **Grievance raised during disciplinaries**

Where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

3.12 **Criminal charges or convictions**

If an employee is charged with or convicted of a criminal offence not involving the Council, then consideration needs to be given to how a charge or conviction may affect an employee's ability to undertake their duties and their relationships with the employer, colleagues, subordinates, or customers.

4. GETTING IT WRONG

Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) can lead to an Employment Tribunal awarding an uplift of an award against the council of up to 25%. Tribunals dealing with unfair dismissal claims are particularly interested in whether the employer followed a procedure and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that procedure to employees and Members, revisit and review the procedure regularly and have some training for those who are expected to operate the procedure.

COUNCIL POLICIES (EMPLOYMENT CONDITIONS & STAFF WELFARE)



ADDENDUM 17.4: FLEXIBLE AND PREDICTABLE WORKING PATTERN POLICY

1. Introduction

- 1.1. Flexible working is the idea that your working life can, with agreement, be adapted to suit your needs and preferences. This may mean a change to the hours that you work, your start and finish times, your days of work or the place where you work. We recognise the benefits of flexible working and will consider all flexible working requests with an open mind. However, we will need to balance the request against its effect on the Council and its impact on other staff.
- 1.2. We appreciate that some of you who work for us have a working pattern which lacks predictability – either in terms of the duration of your contract with us or your working pattern. We understand that you may wish to have more predictability.
- 1.3. This Policy:
 - a Sets out your legal entitlement to make a flexible working request, or to make a request for a predictable working pattern**
 - b Explains the interplay between the flexible working process and the predictable working pattern process**
 - c Explains how requests should be made in each case, and the procedures we follow**
 - d Sets out the circumstances where we may decline your request**
 - e Explains what happens if a request is approved**
- 1.4. This Policy applies to all employees. Parts of the Policy also apply to workers and agency workers – we will say where that is the case.
- 1.5. This Policy does not form part of any contract you may have with us or, in the case of agency workers, any contract you may have with your agency. We reserve the right to amend or remove this Policy.
- 1.6. This Policy sets out the formal process by which you can request flexibility at work and/or a predictable working pattern. Before you make a formal flexible working or predictable working pattern application, we suggest that you discuss your request informally with *[your line manager]*.

2. Interplay between flexible working requests and requests for a predictable working pattern

- 2.1. If you are employed by us, then you may make two statutory requests for flexible working within any 12-month period and, subject to the eligibility requirements set out below, two statutory requests for predictable working within any 12-month period. If you make a statutory request for flexible working, and the purpose of that request is to have a more predictable

working pattern, it will count as both: one of your two statutory requests for flexible working and one of your two statutory requests for a predictable working pattern.

- 2.2. You may have only one live request either for flexible working or for a predictable working pattern with us at any one time.

Part 1: Flexible Working

3. What is flexible working?

- 3.1. Flexible working might involve reducing or varying your hours or the days that you work or changing the location from which you work. There are lots of options, including:

- a Part-time working**
- b Term-time working**
- c Annualised hours**
- d Compressed hours**
- e Flexitime**
- f Hybrid, home or remote working**
- g Job sharing**

4. Who can make a flexible working request?

- 4.1. All employees have the right to make a flexible working request. As set out above, normally only two requests¹ can be made in each 12-month period. But if you qualify as disabled, you can make requests to work flexibly as a 'reasonable adjustment', and you can do that more than twice a year.

5. How should a request be made?

- 5.1. Under the formal flexible working regime, a request for flexible working must be sent to [HR] in writing and must:

- a State that it is a flexible working request**
- b Be dated**
- c Set out the change that you want and when you want it to take effect**
- d State whether you have previously made any flexible working requests to us and, if so, when**
- e State whether you have previously made any requests for a predictable working pattern to us and, if so, when**

- 5.2. You can only have one live request at any one time. Once a request has been made, it remains live until any of the following occur:

- a A decision about the request is made by us [(and any appeal is concluded)]²**
- b The request is withdrawn**
- c An outcome is mutually agreed**

¹ See footnote 1

² there is no legal right to appeal a refusal to permit flexible working or have a predictable working pattern, so this section can be removed if you do not want to offer a right of appeal. Note that Acas recommends employers should allow an appeal as good practice.

d The statutory two-month period for deciding requests³ ends without an agreed extension

6. Our approach to flexible working requests

- 6.1. We will deal with flexible working requests reasonably.
- 6.2. We will consider the proposed flexible working arrangements, weighing up the benefits to you (and to the business) against any adverse impact that granting your request would have on the Council or other staff.
- 6.3. We may grant your request in full or in part, or we may refuse it. We may also propose changes to your request for you to consider. You may be asked to complete a trial period before we confirm whether we agree to the changes.

7. Meeting

- 7.1. We will usually invite you to a meeting to discuss your request. The meeting will give you the chance to discuss why you are requesting the change, how we can accommodate it, and will allow us to understand how you think such a change will work in practice. We aim to hold a meeting within 28 days of receiving a request.
- 7.2. We will write to you with the outcome of your flexible working request, usually within [two weeks] of having held a meeting with you.
- 7.3. If we are happy to agree to the flexible working request, then we will confirm our agreement in writing without the need for a meeting.

8. Extending the time that we have to deal with a request

- 8.1. If, for some reason, we are not able to make a final decision within two months⁴ of the date that you made your request, then we will ask you to agree to extend the time that we have to deal with the request. This might be necessary if, for example, [you have appealed against a decision taken to refuse your request or if]⁵ we have accepted the request on a trial basis but have not made a final decision.
- 8.2. We will record any agreement to extend time in writing.

9. What we will do if we receive requests from more than one employee

- 9.1. We will look at each request individually, on its own merits. Agreeing to one request does not mean we will reach the same conclusion again, nor does it create a right for any other employee. There may be situations when agreeing flexible working with one employee means that others' requests for similar flexible working cannot be granted.
- 9.2. If we receive several requests from the same Council area or team at the same time, and we believe that we will have difficulty in accommodating all requests, then we will speak to each employee with a view to seeing whether a compromise can be reached. If a compromise cannot be reached, then we will look at the requests in the order that they were received by

³ See footnote 1

⁴ See footnote 1

⁵ See footnote 3

us (unless a competing request is made as a request for reasonable adjustments because of a disability under the *Equality Act 2010*, which will normally take priority).

10. Agreeing a request

- 10.1. If we accept your flexible working request, then your new work pattern will form a variation to your contract of employment and will be permanent unless otherwise agreed. We will confirm your new terms in writing.
- 10.2. We will review your new working pattern with you at regular intervals following the approval of your request to make sure that it is working as expected and meeting the needs and expectations of both you and the business.

11. Rejecting a request

11.1. We will try to accommodate flexible working requests where possible. If we cannot accept your request, we will explain why in writing and will rely on one or more of the following reasons:

a It will cost the Council too much.

b The Council cannot reorganise the work among other staff.

c The Council cannot recruit more staff.

d There will be a negative effect on quality.

e There will be a negative effect on the ability of the Council to meet customer demand.

f There will be a negative effect on performance.

g There's not enough work for you to do when you've requested to work.

h There are planned changes to the Council (for example, the Council intends to reorganise) and we don't think the request will fit with these plans.

11.2. If we reject your request, you have the option to appeal our decision⁶.

12. Trial periods

12.1. The legal framework surrounding flexible working does not include any right to agree to the request on a 'trial period' basis. However, it may sometimes be useful for both you and us to 'try out' the new working arrangements before a permanent change is made to your contract of employment. In these circumstances, we may seek to agree a trial period with you. We will not impose a trial period on you. If you reject the offer of a trial period, we will have to agree or reject your flexible working request straight away. If you agree to a trial period, then we will set out this agreement in writing. The letter may also include reference to an extension of the two-month time limit⁷ for dealing with flexible working requests (as this period would otherwise continue to run during the trial).

12.2. At the end of any agreed trial period, we will make a final decision on your flexible working request and will communicate this in writing. [If we decide to reject your request, then you will have the option to appeal this decision⁸].

⁶ See footnote 3

⁷ See footnote 1

⁸ See footnote 3

13. Appeals⁹

- 13.1. You may appeal within one week of our decision. Your appeal should be dated and sent in writing to the person identified as the appeal officer in the decision letter ie. the Town Clerk. You must explain exactly why you are appealing.
- 13.2. We will invite you to an appeal meeting. Wherever possible, the appeal meeting will not be led by the manager who held the meeting at which we decided what action to take. You may be accompanied by a trade union representative or work colleague, in line with the process outlined below. Appeals will normally be determined before the end of the ‘decision period’ (two months from when you sent your initial request¹⁰) wherever possible. An extension to the ‘decision period’ may need to be agreed with you.
- 13.3. Our final decision will be sent to you in writing. We will try to do this within [two weeks] of the appeal hearing. You will not have any further right of appeal.

14. Withdrawal of a request

- 14.1. You can withdraw a request for flexible working at any time after it has been made. A withdrawn request will count as one of the two requests that you are able to make under the statutory scheme in any 12-month period.¹¹
- 14.2. We may notify you that we have decided to treat your conduct as a withdrawal of your flexible working request where either of the following applies:
- a You have failed, without good reason, to attend both the first meeting arranged to discuss your request and the next meeting arranged for that purpose.**
 - b We have allowed you to appeal against the rejection of your request and, without good reason, you have failed to attend both the first meeting arranged by us to discuss your appeal and the next meeting arranged for that purpose.**
- We will notify you in writing if we decide to treat your conduct as a withdrawal of your request.

Part 2: Predictable Working

15. What is a request for a predictable working pattern?

- 15.1. If you are an employee or worker whose working pattern lacks predictability (either because of when you work, or the duration of your contract with us), then a request for a predictable working pattern involves you making a formal request for your working pattern to be made more predictable in some way. Predictability can take different forms.
- 15.2. For example, if you have a fixed-term contract of 12 months’ duration or less with us, then you can request a longer fixed-term contract, or that your contract with us is made permanent.
- 15.3. Or, if your working pattern lacks predictability (say, for example, if you are engaged by us as a zero hours’ worker), then your application might request a formalised predictable working pattern.

⁹ See footnote 3

¹⁰ See footnote 1

¹¹ See footnote 1

15.4. If you work for us through an agency and your role lacks predictability, then you may (if you are eligible) make a request for:

- a A contract of employment with us (this means to become our employee)**
- b A worker's contract with us to do work or provide a service personally (this means to become a worker for us but not our employee)**

You may have a separate right to request predictable terms from your agency (this should be taken up with your agency directly).

15.5. We will treat your request as a request for a contract to do the same or broadly similar work as you already do for us through the agency on terms and conditions which are, on the whole, not less favourable to either of the following:

- a The usual terms and conditions, at the time of the request, of our employees (in the case of a request for a contract of employment) or our workers who are not employees (in the case of a request for a worker's contract) who are doing the same or broadly similar work to you and (where relevant) who have a similar level of qualification and skill.**
- b The terms and conditions that would usually be expected to be included in such contracts if we do not have any such employees or workers.**

16. Who can make a request for a predictable working pattern?

16.1. Employees, workers and agency workers whose working pattern (or any part of it) lacks predictability in some way are all able, if eligible, to make a request for a predictable working pattern. This includes those on casual contracts and those on fixed-term contracts of 12 months' duration or less.

16.2. To be eligible, employees and workers must have worked for us for at least one week in the period before the 26 weeks leading to the date that the application is made.

16.3. If you are an agency worker, to be eligible to make a request to us for a predictable working pattern, you must have worked in the same role for us for a continuous period of 12 weeks in the 26 weeks before making your request.

17. How should a request for predictable working be made?

17.1. A request for predictable terms and conditions must be sent to the Town Clerk in writing and must:

- a State that it is a request for a predictable working pattern**
- b Be dated**
- c Set out the change that you want and when you want it to take effect**
- d State whether you have previously made any requests for either a predictable working pattern or flexible working to us and, if so, when.**

17.2. You can only have one live request at any one time. Once a request has been made, it remains live until any of the following occur:

- a A decision about the request is made by us [(and any appeal is concluded)]¹²**

¹² See footnote 3

- b** *The request is withdrawn*
- c** *An outcome is mutually agreed*
- d** *The statutory one-month period for deciding requests ends*

17.3. Only two requests can be made in each 12-month period (unless it relates to a request to consider reasonable adjustments on account of disability under the *Equality Act 2010*, which can be made at any time).

18. Our approach to predictable working pattern requests

- 18.1. We will deal with predictable working pattern requests reasonably.
- 18.2. We will consider your current working pattern – including whether you have already been regularly working broadly the same hours, days or times, or working for us under a series of fixed-term contracts.
- 18.3. We will consider your proposed predictable working pattern arrangements, weighing up the benefits to you (and to the business) against any adverse impact that granting your request would have on the Council or other staff.
- 18.4. We may grant your request in full, or we may refuse it. We may also propose changes to your request for you to consider. You may be asked to complete a trial period before we confirm whether we agree to the changes.
- 18.5. We will decide any request for a predictable working pattern, [including any appeal,]¹³ within one month of receiving the request.

19. Meeting to discuss a request for predictable working

- 19.1. We will usually invite you to a meeting to discuss your request. The meeting will give you the chance to discuss why you are requesting the change and will allow us to understand how you think such a change will work in practice. We aim to hold a meeting within 28 days of receiving a request.
- 19.2. We will write to you with the outcome of your predictable working pattern request, usually within 7 days of having held a meeting with you.
- 19.3. If we are happy to agree to the predictable working pattern request, then we will confirm our agreement in writing without the need for a meeting in line with the procedure for agreeing a request set out below.

20. Agreeing to a request for a predictable working pattern

- 20.1. If you are an employee or worker and we accept your request for a predictable working pattern, then we will confirm our decision in writing. We will offer you a new contract in writing which reflects the change requested within two weeks¹⁴ of accepting the request.
- 20.2. If you are an agency worker and we accept your predictable working request, then we will confirm our decision in writing and provide you with written terms reflecting the agreed position.

¹³ See footnote 3

¹⁴ this two week period is the legal maximum. It cannot be extended.

21. Rejecting a request for a predictable working pattern

21.1. We will try to accommodate predictable working pattern requests where possible. If we cannot accept your request, we will explain why in writing and will rely on one or more of the following reasons:

a It will cost the Council too much.

b There will be a negative effect on the business's ability to meet customer demand.

c There will be a detrimental effect on the recruitment of staff.

d There will be a negative effect on other aspects of the business.

e There's not enough work for you to do when you've requested to work.

f There are planned changes to the Council (for example, the Council intends to reorganise) and we don't think the request will fit with these plans.

21.2. If we consider rejecting a request on one or more of the grounds above, then we will consider whether there are alternative and suitable arrangements for providing more predictability. If there are, we will discuss these with you.

21.3. Where you are an employee or worker and your employment ends during the one-month decision period, we may refuse your request on the following additional grounds:

a That you ended your contract (unless you had the right to end your contract because we breached it); or,

b That we, acting reasonably, ended the contract because of your misconduct, capability, redundancy, a legal restriction or duty or some other substantial reason

21.4. Where you are an agency worker and your assignment ends during the one-month decision period we may refuse your request on the following additional grounds:

a That you ended your assignment (unless you had the right to end it because we breached it); or

b That we, acting reasonably, ended the assignment because of your misconduct, capability, qualifications, a legal restriction or duty or some other substantial reason

22. Appeals¹⁵

22.1. You may appeal within one week of our decision. Your appeal should be dated and sent in writing to the person identified as the appeal officer in the decision letter. You must explain exactly why you are appealing.

22.2. We will invite you to an appeal meeting. Where possible, the appeal meeting will be led by a different manager from the one who held the original meeting.

22.3. Our final decision will be sent to you in writing. You will not have any further right of appeal.

23. Withdrawal of a request

23.1. You can withdraw a request for predictable working at any time. A withdrawn request will count as one of the two requests that you are able to make under the statutory scheme in any 12-month period.

23.2. We may notify you that we have decided to treat your conduct as a withdrawal of your predictable working request where either of the following applies:

¹⁵ See footnote 3

- a You have failed, without good reason, to attend both the first meeting arranged to discuss your request and the next meeting arranged for that purpose.*
- b You have appealed against the rejection of your request, and, without good reason, you have failed to attend both the first meeting arranged by us to discuss your appeal and the next meeting arranged for that purpose.*

We will notify you in writing if we decide to treat your conduct as a withdrawal of your request.

24. What we will do if we receive requests for flexible working and/or a predictable working pattern from more than one employee/worker

24.1. We will look at each request individually, on its own merits. Agreeing to one request does not mean we will reach the same conclusion again, nor does it create a right for any other employee. There may be situations when agreeing flexible working or a predictable working pattern with one employee/worker means that others' requests for similar flexible working or predictability cannot be granted.

24.2. If we receive several requests from the same Council area or team at the same time, and we believe that we will have difficulty in accommodating all requests, then we will speak to each employee/worker with a view to seeing whether a compromise can be reached. If a compromise cannot be reached, then we will look at the requests in the order that they were received by us (unless a competing request is made as a request for reasonable adjustments because of a disability under the *Equality Act 2010*).

25. What if a predictable working pattern or flexible working request relates to a disability?

25.1. If you believe that a predictable working pattern or flexible working may remove a disadvantage you are placed at in the workplace owing to a disability, then you should contact the Town Clerk for further guidance before submitting a formal request under this Policy. We may, with your agreement, seek advice from your doctor or occupational health on the issue.

26. The right to be accompanied¹⁶

26.1. You may be accompanied by a colleague or trade union representative at any meeting called under this Policy.

26.2. If you want to exercise this right, you should tell us as soon as possible who you want to accompany you. It is your responsibility to arrange for them to attend. If you choose a work colleague, we will not prevent them from attending, but we may rearrange the meeting if their absence from work would cause operational problems.

26.3. Your colleague or trade union representative can, if you'd like them to, explain the key points of your case at the meeting and can respond on your behalf. You can also confer with them during the meetings. However, they must not answer questions put directly to you or try to prevent us asking questions or outlining our points.

27. Administration of the Flexible Working and Predictable Working Pattern Policy

The Town Clerk is responsible for administering the Flexible Working and Predictable Working Pattern Policy. If you have any queries, please contact Joan Walsh: joan.walsh@horleysurrey-tc.gov.uk

¹⁶ Please note that, unlike disciplinary and grievance meetings, it is not a legal requirement that an employee is offered the right to be accompanied at a flexible working or predictable terms meeting. However, it is recommended in the relevant Acas codes of practice that most employers allow employees/workers to be accompanied.



ADDENDUM 17.5: ACCEPTABLE USE OF IT POLICY

1. Purpose and Scope

- 1.1 The Council provides information and communication technology systems that enable us to work efficiently. We recognise that email communication plays an essential role in the conduct of our organisation and that the way in which we all communicate with people not only reflects on us as individuals but also on us as an organisation.
- 1.2 In addition, the Council provides to some job roles access to the vast information resources of the internet to help us do our job and be well informed. The facilities that we provide represent a considerable commitment of resources. This policy is designed to help you understand our expectations for the use of those resources and to ensure that you use those resources wisely.
- 1.3 This policy applies to all staff (whether full time, part time, casually employed or temporary workers), agency workers, and contractors working for or on behalf of the Council and anyone using the Council's information and communication technology equipment.
- 1.4 The purpose of this policy is to set clear standards of behaviour and conduct in the use of IT.
- 1.5 The communications and IT equipment refer to, but is not limited to, computers, internet access, remote access connections, email servers, file storage, webmail, personal digital assistants (iPhones, iPads, Smart-Phones etc), telephones, mobile phones and computing and networking facilities owned and operated by the Council.

2. Policy Statement

- 2.1 Information and communication technology systems provide a means for communicating both internally and externally and, a means for storing information, including personal or sensitive information. All staff and other users are therefore expected to use the systems provided in ways which:
 - **Comply with legislative requirements (e.g. data protection, equality legislation, health and safety etc.)**
 - **Enhance efficiency and productivity, and,**
 - **Enhance the reputation of the Council.**However, your use of IT and communication technology can pose risks to our confidential information, reputation and compliance with legal obligations. To minimise these risks, to avoid loss of productivity and to ensure that our IT resources and communications systems are used only for appropriate business purposes, we expect all employees to adhere to this policy.
- 2.2 Breach of this policy may result in disciplinary action up to and including dismissal. Disciplinary action may be taken regardless of whether the breach is committed during working hours, and regardless of whether our equipment or facilities are used for the purpose of

committing the breach. Any member of staff suspected of committing a breach of this policy will be required to co-operate with our investigation, which may involve handing over relevant passwords and login details.

3. People responsible for implementing the policy

- 3.1 The Town Clerk has overall responsibility for the effective operation of this policy. Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the Town Clerk.
- 3.2 All employees have a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the standards of behaviour expected of them and taking action when behaviour falls below its requirements.
- 3.3 All employees are responsible for the success of this policy and should ensure that they take the time to read and understand it. Any misuse of IT resources should be reported to the Town Clerk.

4. Compliance with related Policies and Agreements

- 4.1 The Council's policies and procedures (e.g. Codes of Conduct, Disciplinary, Data Protection and Equality & Diversity Policy) apply equally to behaviour online as off line. The IT resources should never be used in a way that breaches any of our other policies.
- 4.2 It is your responsibility to ensure that information and data held on the Council's computer systems complies fully with the principles of the General Data Protection Regulation (GDPR). In brief, the GDPR requires that anyone who inputs, stores or uses personal information must ensure that the information (e.g. names, addresses, other information kept on individuals) is:
 - processed lawfully, fairly and in a transparent manner in relation to individuals
 - collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
 - adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
 - accurate and, where necessary, kept up to date
 - kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
 - processed in a manner that ensures appropriate security of the personal data.
- 4.3 A good way of understanding these requirements and your responsibilities is to think about how you would wish your bank to store and use, and not use, your own personal details. Please refer to our Data Protection Policy.

5. Monitoring

- 5.1 The contents of IT resources and communications systems are Council property. We reserve the right to monitor, accept, intercept, record, retrieve, print and review, your activities using our IT resources and communications systems, including but not limited to e-mails, social media postings and internet activities, to ensure that our rules are being complied with and for legitimate business purposes including:

- If you are absent for any reason and communications must be checked for the smooth running of the business to continue
 - If we suspect that you have been using the email system to send and receive an excessive number of personal communications
 - If we suspect that you are sending or receiving emails that are detrimental to the Council
If we suspect that you have been spending an excessive amount of time viewing websites that are not work related
 - To maintain a satisfactory level of security on our computer systems
- 5.2 We may store copies of such data or communications for a period of time after they are created and may delete such copies from time to time in line with our Data Protection policy.
- 5.3 IT resources and communications systems of the Council must not be used for any matter that you wish to be kept private or confidential from the Council. While an email that is clearly private does not fall within the definition of a communication that is relevant to the Council's business, we maintain a right to monitor such a communication where there is a reasonable suspicion that the content breaches the Council's policy.

6. Data Protection

- 6.1 Monitoring of an employee's email and/or internet use will be conducted in accordance with an impact assessment that the organisation has carried out to ensure that monitoring is necessary and proportionate. Monitoring is in the Council's legitimate interests and is to ensure that this policy on email and internet use is being complied with. For further details, please refer to our Data Protection Policy available on the [Town Council website](#).

6.2 Passwords

- All systems have an authenticated User ID/password combination prior to gaining access which are end-to-end encrypted.
- Any confidential documents should be encrypted prior to sending via e-mail – the password should be notified to the receiver either verbally or by text

6.3 Computer Usage

- To prevent unauthorised access to your files, please ensure that you secure your computer if you are away from your desk
- The computer systems are backed up regularly, however you must ensure your work is adequately saved in a secure location that is accessible for backup

7. Use of email

7.1 Contents of emails

Emails that you intend to send should be checked carefully. The use of email to send or forward messages that are defamatory, obscene or otherwise inappropriate will be treated as misconduct under the appropriate disciplinary procedure. In serious cases, this could be regarded as gross misconduct and lead to summary dismissal.

- 7.2 Equally, if you receive an obscene or defamatory email, whether unwittingly or otherwise and from whatever source, you should not forward it to any other address.

- 7.3 Statements to avoid in emails include those criticising an organisation or their staff, those stating that there are quality problems with goods or services of suppliers or clients, and those stating that anyone is incompetent.

7.4 **Corporate information to be included in emails**

You should ensure that only appropriate Council information and your contact details are given on any emails and that every email states the official disclaimer clause used by the Council.

7.5 **Copying in on Emails**

You must exercise care not to copy emails automatically to all those copied into the original message to which you are replying, if conveying confidential or sensitive information as, in doing so, may result in disclosure of confidential information to the wrong person.

7.6 **Attachments**

You must not attach any files that may contain a virus to emails, as the Council could be liable to the recipient for loss suffered. The Council has virus-checking in place but, if in doubt, you should check with the Town Clerk.

7.6 You should exercise extreme care when receiving emails with attachments from third parties, particularly unidentified third parties, as these may contain viruses.

7.7 All employees must comply with the cyber awareness, training and cautionary guidance as directed by the Council's IT provider and report any untoward content received, as directed below:

BE CYBER AWARE - Caution, this is an external email. Unless you recognise the sender and know the content is safe, do not click links or open attachments and report it. If you have clicked on any links, raise an ICT support call immediately for advice

A copy of the Council's Cyber Awareness Guide is available from the Town Clerk.

7.8 **Mobile phone texting**

- Texting funders, suppliers or other external stakeholders should be avoided wherever possible. Texting can often involve an abbreviated use of language which not everyone is familiar with. If you must text another person keep any abbreviated language to a minimum, to ensure a full understanding of the message
- Text messages must be treated in the same way as emails, in the sense that they must not contain illegal, discriminatory, obscene, pornographic or otherwise abusive or threatening messages
- Content of work related text messages or text messages on company equipment should meet the requirements of our data protection policy.

7.9 **Internet**

- You must not use the Council systems to access pornographic, offensive, illegal or other improper material or make inappropriate use of the Internet
- Producing, downloading or distributing sexually explicit or offensive material in any form, electronic or otherwise (e-mail, blogging, picture, file, printed-output, etc), which may be considered abusive or derogatory to individuals on the basis of race, ethnicity, religion, gender, sexual orientation, gender re-assignment, disability, age etc. is a violation of our Equality & Diversity policy. Any such action will be considered as gross misconduct
- The Council has installed an internet firewall to assure the safety and security of its network. We may block access from within our networks to all sites mentioned above that we know of. If you find yourself connected accidentally to a site that contains sexually explicit, offensive or illegal material, you must disconnect from that site immediately and notify the Clerk
- You must not subscribe to chat rooms, dating agencies, messaging services, internet diary (known as blogging) or other on-line subscription internet sites

7.10 **Misuse**

Misuse of the Council computing facilities may result in disciplinary or criminal proceedings. Misuse constitutes (but is not limited to) the following points:

- Not adhering to points covered in this policy
- Use that results in a breach of our data protection policy
- Attempting to discover another person's username and password, by any means
- Attempting to monitor or tamper with another user's electronic communication or data, or reading, copying, modifying or deleting another user's data without the explicit agreement of that user, or the Clerk. (Except in the case of electronic mail messages where messages sent and received can be copied and/or monitored.)
- Attempting to circumvent by any means the computer or network security
- Using the computer systems (such as electronic mail) to act abusively towards others (including individuals, groups, companies or any other organisation) whether internally or externally
- Knowingly running and installing on any computer or network, or giving to another user, a program or macro intended to disrupt or damage in any way the computer systems and/or network operations, it's files, programs, data, or any related peripheral or device
- Violating terms and conditions of software copyrights and agreements, including making illicit copies of software
- Installing any software by whatever medium (e.g. data sticks, CD-ROM or data transfer) not provided, virus checked and approved by the Council's IT providers
- The transfer of any data files from data sticks, CD-ROM or data transfer to any the Council computer without being fully virus checked
- Installation of any software not purchased on behalf of the Council. This includes any software from previous employers or from home computers. Installation of software included with any magazines or where the origin of the software is not known is strictly prohibited
- Performing any act that will interfere with the use of the computer, network or equipment (such as printers) or will affect another user's ability to make use of that equipment, such as downloading unnecessary large documents
- Using the computer systems for any activity not related to your work for the Council for personal financial gain
- Relocating or re-allocating computer equipment without the permission and guidance of the Council's IT provider, Micromaintenance Ltd.
- Deliberately wasting computer resources such as game playing or sending "junk" or "chain" mails (either electronic or printed) using our equipment
- If you are allocated a laptop or portable computer, you are responsible for ensuring the safe keeping of this equipment whilst out of the office. Under no circumstances should this be left un-attended in a public place, or in public view. Further you must ensure that all security systems and precautions have been activated to safeguard the portable computer
- Saving confidential data to the hard drive of a portable computer is not permissible unless it is encrypted. Alternatively, each document needs to be encrypted or saved onto an encrypted memory disk
- Saving confidential and/or personal data to an unencrypted data stick is not permitted

- Downloading confidential and/or personal data from our systems to an encrypted data stick without the express authorisation of the Clerk is forbidden. Note that USB ports may be disabled.
- 7.11 You may be held responsible for damage to equipment, programs or data, and you will be held accountable for any licensing infringements if you do not comply with the above policy.

LINKED POLICIES AND PROCEDURES



ADDENDUM 17.6: SELF-CERTIFICATION FORM

To be completed by all employees for any period of sickness absence **up to 7 calendar days** unless the full period of absence is covered by a medical certificate.

Name: [Click here to enter text.](#)

I hereby certify that I was unable to work:

From: [Click here to enter a date.](#) to: [Click here to enter a date.](#)
(first day of absence) (last day of absence)

Number of days taken on this occasion: [Click here to enter text.](#)

Number of days taken in the last 12 months: [Click here to enter text.](#)
(excluding the current absence)

Please indicate the nature of the illness: [Click here to enter text.](#)

Please indicate if the illness or injury is work related: Yes / No

If yes, please provide further details: [Click here to enter text.](#)

The above information is accurate to the best of my knowledge and I understand that I may be subject to disciplinary action if I have provided false or misleading information. I agree that this form can be retained on my personnel file for monitoring purposes.

Signed _____

Date: [Click here to enter a date.](#)



ADDENDUM 17.7: GENERIC HEALTH AND SAFETY RISK ASSESSMENT FOR NEW AND EXPECTANT MOTHERS

Guidance for carrying out a Risk Assessment

Employers are required to carry out a risk assessment as soon as an employee tells them they are pregnant.

The risk assessment will need to be updated if circumstances change. For example, if the pregnancy becomes complicated or the work changes.

A new risk assessment is also required when the mother returns to work.

Use the 'Possible Risks' table below to help you identify and assess the sorts of risks which the employee could face.

It is important to involve the employee in the risk assessment. In particular encourage them to speak to you about any concerns they may have.

If you are unsure about any aspect of the risk assessment you should seek advice from HR

Once the Risk assessment document is complete and signed, give a copy to the employee and file the complete document in the employee's Personnel File.

This document outlines typical risks that may affect:

- a) Expectant mothers
- b) New mothers
- c) Mothers who are breast feeding

This risk assessment is generic. It may be altered as circumstances require.

POSSIBLE RISKS

HAZARD	WHAT IS THE RISK?	WHO IS AFFECTED?	REDUCING/AVOIDING THE RISK
Manual Handling	Greater susceptibility to injury	a), b), c) b) c) Possibly for six to nine months after the birth	Follow guidelines Assess risk Avoid heavy or prolonged lifting tasks Avoid lifting heavy equipment
Movement & Posture	Injury by awkward movements; Dizziness, fainting, backache and fatigue by prolonged standing; Circulatory problems, backache Postural problems, fatigue by prolonged sitting	a), b), c) All types of work	Avoid awkward postures Avoid prolonged sitting Avoid prolonged standing Avoid working in confined spaces Avoid very strenuous activity Take care on slippery or wet surfaces Ensure comfortable uniform/clothing
Driving/travelling	Fatigue Circulatory problems from prolonged sitting	a), b), c) Potentially all, especially drivers	Take regular breaks to stretch Avoid long journeys especially in later pregnancy Wear seat belt as most comfortable Consult GP if you are at all concerned about fitness to drive If your work involves driving, you may be asked for a note from your GP if it is recommended you cease/restrict driving during pregnancy.

HAZARD	WHAT IS THE RISK?	WHO IS AFFECTED?	REDUCING/AVOIDING THE RISK
			If your baby is born by caesarean section it is advisable to refrain from driving for 6 weeks after the birth
Lone Working	Pregnant women may have greater need of medical attention	a)	Ensure adequate communications e.g. mobile phone
Long/unsocial hours	These factors may increase fatigue during pregnancy and on return	a), b), c) Potentially all	Discuss with the Clerk any need to change pattern of working hours.
Stress (See other topics above)		a), b), c) Potentially all	Monitor and manage stress levels and causes



ADDENDUM 17.8: RISK ASSESSMENT FOR EXPECTANT MOTHERS & RETURNERS

Name _____ Job Title _____

Location _____

How is the employee's health and wellbeing during pregnancy? – Consider if work will be affected by morning sickness, antenatal visits, fatigue, stress and sleeplessness.

Has the doctor or midwife given you specific advice about any changes you need to make to the way your work or your daily routine?

How convenient are facilities? – Consider toilets, quiet room, lifts, first aid room.

Is there any other information which the employee thinks is relevant?

The following *may* present a risk to a pregnant employee. If relevant, please complete Risk and Control Measures columns

DUTIES	RISK? Yes/No	CONTROL MEASURES
Driving & travelling		

Physical activities including manual handling		
Lone working		
Long / unsocial hours		
Stress		
Other Risks?		

Dated.....Signed..... (Employee)

Dated.....Signed..... (Clerk)

Updated.....Signed..... (Employee)

Updated.....Signed..... (Clerk)

Please remember to tell the Clerk if your pregnancy has complications or your midwife advises changes to your work situation or you think this risk assessment needs updating



ADDENDUM 17.8: MOTHERS'/PRIMARY ADOPTERS' CURTAILMENT NOTICE FOR SPL & ShPP [& APPENDICES A, B]

Notes:

- This curtailment notice must be given to the Council
- A copy of this curtailment notice must also be attached to the form that your partner/ the child's father gives to his/her employer
- Please note you can only withdraw this curtailment notice in limited circumstances
- The date on which you end your maternity leave must be **at least**:
 - 8 weeks after the date on which you provide this notice to us;
 - 2 weeks after you give birth; and;
 - 1 week before what would have been the end of your additional maternity leave.

To qualify for Shared Parental Leave (SPL) and Shared Parental Pay (ShPP):

- You must have 26 weeks continuous employment with the Council by the end of the qualifying week and still be employed by us at the start of each period of SPL
- Your partner must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the expected week of childbirth (EWC)/week of matching for adoption and have had average weekly earnings of at least £30 during 13 of those weeks
- In addition to this form, you and your partner must submit both the Opt In and Period of Leave notices at least 8 weeks before you wish to take SPL

Mother/Primary Adopter's full name:

Job title:

Department:

My Full Address is:

Name of child (if born/placed):

- I wish to give notice (8 weeks minimum required) of curtailment of my maternity/ adoption leave (SML/SAL) in order to take SPL.
- I also give up my right to receive Statutory Maternity/Adoption Pay (SMP/SAP) to apply for shared parental pay (ShPP).

(Please tick to confirm)

	My SML/SAL will end/ended on:
	(If applicable) My SMP/SAP period will end/ended on:
	I attach an 'Opt In' notice, providing details of my intention to take SPL and confirming my eligibility (see appendix [4])

I confirm that all the information given above is true and accurate and I understand that providing any untrue or misleading information may lead to action under the Disciplinary Procedure. I consent to you processing the information I have provided on this form.

Signature:

Date:



ADDENDUM 17.10: MOTHERS'/PRIMARY ADOPTERS' OPT-IN NOTICE FOR SPL & ShPP

If you wish to take shared parental leave (SPL), you must submit the notice and declarations found below to the Clerk at least **8 weeks** before the start of the first period of SPL desired.

Your partner/the child's father/co-adopter is required to complete & sign the Section 3 declaration.

Please attach a copy of the mother's/primary adopter's curtailment notice to this form.

(1) Notice of Entitlement & Intention to Take SPL & ShPP *(To be completed by employee):*

Employee Information

Name: _____ Job title: _____

Clerk: _____ Department: _____

Partner's/child's father's/co-adopter's name: _____

Statutory Maternity/Adoption Leave (SML/SAL) Information

Provide the following information about any SML/SAL you have already taken/intend on taking.

SML/SAL start date: _____ SML/SAL end date: _____

Statutory Maternity/Adoption Pay and Maternity Allowance (SMP/SAP/MA) Information

Provide the following information about any SMP/SAP/MA you have already taken/intend taking.

SMP/SAP/MA start date: _____ SMP/SAP/MA end date: _____

This section is not applicable.

Childbirth Information

Expected date of childbirth (applicable if child has not been born): _____ OR

Date of birth (applicable if the child has already been born): _____

This section is not applicable.

Adoption Information

Expected date of placement (applicable if child has not yet joined the family): _____ OR

Actual date of placement (applicable if the child has already joined the family): _____

This section is not applicable.

SPL Information

Total amount of SPL available (in weeks): _____

Amount of SPL you intend on using (in weeks): _____

Amount of SPL your partner/the child's father/co-adopter intends on using (in weeks): _____

SPL Periods

Provide an indication of how you intend on taking your SPL (inc start & end dates). This is non-binding & you still need to provide us with a booking notice to take SPL.

Start date #1: _____ End date #1: _____

Start date #2: _____ End date #2: _____

Start date #3: _____ End date #3: _____

ShPP Information

Total amount of ShPP available (in weeks): _____

Amount of ShPP you intend on using (in weeks): _____

Amount of ShPP your partner/the child's father/co-adopter intends on using (in weeks): _____

This section is not applicable.

ShPP Periods

Provide an indication of how you intend on taking your ShPP (inc start & end dates). This is non-binding & you still need to provide us with a booking notice to take any ShPP.

This section is not applicable.

(2) Declaration of Mother/Adopter (To be completed by employee):

Check all applicable boxes. To be eligible, you must be able to make the following declarations.

Continuity of Employment

I have been/will have been employed by the Council for at least 26 weeks ending with the Qualifying Week (which is 15 weeks before the expected week of childbirth).

I intend to remain employed by the Council until I commence the period of SPL I have applied for.

Care Responsibility

I share the primary responsibility for the care of the child for which SPL is being sought.

I will inform The Council if my status as the primary person responsible for the child's care changes.

Entitlement to Leave and Curtailment

I am/have been entitled to SML/SAL in respect of this child.

I have brought my SML/SAL to an end or intend on bringing my SML/SAL to an end before commencing a period of SPL, by completing and returning the curtailment notice.

Notice Requirement

I have provided or will provide The Council with a Period of Leave Notice.

Requests for Additional Information

I have complied/will comply with the request made by The Council for additional information as permitted by law. I understand that if I fail to comply, I will not be entitled to SPL.

Verification of Information

The information provided in this form is accurate and I meet the qualifying conditions for SPL & ShPP. I understand that providing any untrue or misleading information may lead to action under the Disciplinary Procedure.

I have checked the information set out in my partner's/the child's father's/co-adopters declaration below and that it is accurate.

Signature: _____

Date: _____

(3) Declarations of Partner/the Child's Father/Co-adopter (To be completed by your partner/the child's father/co-adopter):

Check all applicable boxes. To be eligible, you must be able to make the following declarations.

Partner/the Child's Father/Co-adopter Information

Name: _____

Address: _____

Employer's Name and Address: _____

National Insurance Details My National Insurance number is : _____ OR I do not have a National Insurance number**Employment and Earnings** I have been engaged in employment as an employed or self-employed earner in at least 26 weeks during the 66-week period leading up to the expected week of childbirth or the week in which the child was matched for adoption. I have earned at least £30 in at least 13 of those weeks.**Care Responsibility** I share the primary responsibility for the care of the child for which SPL is being sought.**Relationship to Employee** I am the father of the child or the mother's/adopter's partner, civil partner or spouse.**Consent to Leave and Pay** I consent to your employee/my partner taking SPL/ShPP as detailed in this form.**Consent to Processing** I consent to you retaining and processing the information provided in this form.**Signature:** _____**Date:** _____

APPENDIX A – Period of Leave Notice for SPL

Notes

- You can request to take Shared Parental Leave (SPL) in one continuous block (in which case we are required to accept the request as long as you meet the eligibility and notification requirements), or as a number of discontinuous blocks of leave (in which case you need our agreement). A maximum of 3 requests for leave per pregnancy/ adoption can normally be made by each parent.
- The start date of the first period of SPL that you wish to take must be at least 8 weeks after you have provided this notice.
- SPL must be taken in blocks of at least 1 week.
- This notice is to confirm the SPL that you intend to take. This must be submitted with a curtailment notice unless this has already been submitted (only applicable for the mother/primary adopter, see appendix [3]) and an opt in notice (appendix [4] for the mother/primary adopter and appendix [6] for the partner/co-adopter/child’s father) before using this form.
- It is recommended that you and your partner think carefully about your SPL before submitting this form, as opportunities to amend requests for SPL are limited. Apart from exceptional circumstances, you can submit a period of leave notice or a notice
- that you have changed your mind about SPL on a combined total of just 3 occasions.
- You and your partner must take any SPL within 52 weeks of the birth/placement of your child.

Employee’s full name:

Job title:

Department:

My Full Address is:

Name of child (if born/placed):

Please complete either section A or section B (giving at least 8 weeks’ notice)

Section A – please complete if your child has already been born or adopted or if you know the exact dates on which you would like to take SPL

I intend to take SPL on the following dates (please include the start and end dates for each period of leave that you intend to take):

.....
.....
.....

I also intend to take ShPP for the following dates (please include the start and end dates for each period of leave that you intend to receive ShPP for):

.....
.....
.....

Section B – please complete if your child has not been born/placed yet and you wish your SPL to start either on the day on which your child is born/placed, or a specific number of days after the day on which your child is born/placed. Please remember that birth mothers must take at least two weeks compulsory maternity leave.

I intend my SPL to start on the day on which my child is born/placed or the following number of days after the date on which my child is born/placed

.....

I intend my SPL to end on the following number of days after the date on which my child is born/placed

.....

I also intend to take ShPP for the following dates (please include the start and end dates for each period of leave that you intend to receive ShPP for):

.....

.....

.....

Signature:..... **Date:**.....

APPENDIX B – Fathers/Co-Adopters/Partners Opt-In Notice for SPL & ShPP

If you wish to take shared parental leave (SPL), you must submit the notice and declarations found below to the Clerk at least **8 weeks** before the start of the first period of SPL desired.

Your partner is required to complete and sign the declaration in Section 3.

(1) Notice of Entitlement and Intention to Take SPL and ShPP *(To be completed by employee):*

Employee Information

Name: _____ Job title: _____

Clerk: _____ Department: _____

Partner's/child's mother's/adopter's name: _____

Statutory Maternity/Adoption Leave (SML/SAL) Information

Provide the following information about any SML/SAL the child's mother/primary adopter has already taken or intends on taking.

SML/SAL start date: _____ SML/SAL end date: _____

Statutory Maternity/Adoption Pay and Maternity Allowance (SMP/SAP/MA) Information

Provide the following information about any SMP/SAP/MA the child's mother/primary adopter has already taken or intends on taking.

SMP/SAP/MA start date: _____ SMP/SAP/MA end date: _____

This section is not applicable.

Childbirth Information

Expected date of childbirth (applicable if child has not been born): _____ OR

Date of birth (applicable if the child has already been born): _____

This section is not applicable.

Adoption Information

Expected date of placement (applicable if child has not yet joined the family): _____ OR

Actual date of placement (applicable if the child has already joined the family): _____

This section is not applicable.

SPL Information

Total amount of SPL available (in weeks): _____

Amount of SPL you intend on using (in weeks): _____

Amount of SPL your partner/the child's mother/primary adopter intends on using (in weeks): _____

SPL Periods

Provide an indication of how you intend on taking your SPL (inc start & end dates). This is non-binding & you still need to provide us with a booking notice to take SPL.

Start date #1: _____ End date #1: _____

Start date #2: _____ End date #2: _____

Start date #3: _____ End date #3: _____

ShPP Information

Total amount of ShPP available (in weeks): _____

Amount of ShPP you intend on using (in weeks): _____

Amount of ShPP the child's mother/primary adopter intends on using (in weeks): _____

This section is not applicable.

ShPP Periods

Provide an indication of how you intend on taking your ShPP (inc start & end dates). This is non-binding & you still need to provide us with a booking notice to take any ShPP.

This section is not applicable.

(2) Declaration of Father/Partner/Co-Adopter (To be completed by employee):

Check all applicable boxes. To be eligible, you must be able to make the following declarations.

Continuity of Employment

I have been employed by The Council for at least 26 weeks ending with the Qualifying Week (which is 15 weeks before the expected week of childbirth).

I intend to remain employed by The Council until I commence the period of SPL I have applied for.

Care Responsibility

I share the primary responsibility for the care of the child for which SPL is being sought.

I will inform The Council if I cease maintaining primary responsibility for the care of the child for which SPL is sought.

Notice Requirement

I have provided or will provide The Council with a Period of Leave Notice.

Requests for Additional Information

I have complied/will comply with the request made by The Council for additional information as stated above. I understand that if I fail to comply with these requests, I will not be entitled to SPL.

I attach a copy of the mother's/primary adopter's curtailment notice.

Relation to Mother or Primary Adopter

I am the father of the child for which SPL will be taken, or I am the spouse or partner of the mother or primary adopter of the child for which SPL will be taken.

Failure to Curtail Entitlements

I will inform The Council if my partner fails to curtail his/her SML/SAL or SMP/SAP/MA.

Verification of Information

The information provided in this form is accurate & I meet the qualifying conditions for SPL & ShPP. I understand that providing any untrue or misleading information may lead to action under the Disciplinary Procedure.

I have checked the information set out in the child's mother/primary adopters declaration below and that it is accurate.

Signature: _____

Date: _____

(3) Declaration of Mother/Primary Adopter (To be completed by the child's mother/primary adopter):

Check all applicable boxes. To be eligible, you must be able to make the following declarations.

The Child's Mother/Primary Adopter's Information

Name: _____

Address: _____

Employer's Name and Address: _____

National Insurance Details

- My National Insurance number is : _____ OR
 I do not have a National Insurance number

Employment and Earnings

- I have been engaged in employment as an employed or self-employed earner in at least 26 weeks during the 66-week period leading up to the expected week of childbirth or the week in which the child was matched for adoption.
 I have earned at least £30 in at least 13 of those weeks.

Care Responsibility

- I share the primary responsibility for the care of the child for which SPL is being sought.

Entitlement to Leave and Curtailment

- I am entitled to SML/SAL and/or SMP/SAP/MA and have curtailed my SML/SAL and/or SMP/SAP/MA with my employer or will have done so by the time your employee takes SPL.
 I will inform your employee if I fail to curtail my SML/SAL/SMP/SAP/MA.

Consent to Leave and Pay

- I consent to your employee/my partner/the child's father/co-adopter taking SPL/ShPP as detailed in this form.

Consent to Processing

- I consent to you retaining and processing the information provided in this form.

Signature: _____

Date: _____



ADDENDUM 17.11: REQUEST FOR FLEXIBLE WORKING

Name of employee:	
Start date with the Company:	
Date form submitted:	
I wish to submit a request for flexible working as detailed below.	
I confirm I meet the statutory eligibility criteria as follows:	
I have worked continuously as an employee of the Council for the last 26 weeks.	<input type="checkbox"/>
I have not made a request to work flexibly under this right during the past 12 months.	<input type="checkbox"/>
Date of any previous request to work flexibly under this right:
OR	
I do not meet the statutory eligibility criteria	<input type="checkbox"/>
Pattern of working	
Please state the pattern of working you are seeking by providing information under one or more of the following three headings:	
1. I would like to reduce my working hours from [current number of hours worked] hours to [the number of hours you would like to work] hours per week.	
2. I would like to alter the days I work and/or the timing of my working hours to work at the following times (please indicate the days/times of day you would like to work).	
3. I would like to do all/some of my work from my home (please be precise about the number of hours and days/times of the week you would like to work at home).	
I would like the above change(s) to my working pattern to take effect on:	
Please state the effects that you think the changes you are requesting will have on the organisation and on your work area, your colleagues, etc.	

Please state how you think any such effect might be dealt with.

Once you have submitted a valid application for flexible working, the Council will consider your request. If your request is granted, it will mean a permanent change to the terms and conditions of your employment, unless agreed otherwise.

It will help us to deal with your application if you provide as much information as you can about your desired working pattern and the effects that you think the changes you are requesting will have on the Council and your colleagues.

Signed:

Date:



ADDENDUM 17.9: HOME WORKING POLICY

1. Introduction

Horley Town Council (HTC) understands that there may be instances when an employee needs to work from home. Depending on the nature of the employee's role, the Council may consider flexible home working appropriate. This Home Working Policy enables home working to support the Town Council's business and employee needs and demands. It remains flexible whilst identifying the responsibilities, measures, and the risk-based approach to be carried out within the home environment to ensure the safety and well-being of staff. Whilst homeworking is categorised as a type of flexible working, employees should not assume that other aspects of flexible working (such as amended hours) are automatically part of a homeworking arrangement.

2. Home Working Application Process

- 2.1 Applications for home working may be granted where it is satisfied that the needs of the Town Council can continue to be met while the employee works from home. Working from home must be cost-effective and ensure that there is no significant increase in workload on colleagues. The work carried out by the employee must be capable of being carried out from home.
- 2.2 Employees who wish to apply to temporarily work from home should submit an application via email to the Town Clerk who will aim to respond within one calendar month of the application being received unless it is a matter of urgency where a quicker interim decision may be made. The Town Clerk may need to visit the employee's home to carry out a risk assessment.
- 2.3 On approved applications, written confirmation will be provided, detailing arrangements and timescales for the employee to sign and return to the Town Clerk. Each request will be considered on its own merits. The Town Council is under no obligation to permit a period of working from home just because it has agreed to it in the past.
- 2.4 If an employee's application is rejected, the reasons for this will be issued in writing to the employee. The employee may appeal the decision within 5 working days of the decision being issued. The reasons for the appeal shall be set out in writing and sent to the Staff Committee.

3. Definition

- 3.1 Flexible home working is defined as time split between home and the office when an employee undertakes some of their duties from home on an agreed basis. This is usually planned in advance and may be for complete or part days. Examples of the type of work considered suitable for home working include report writing, preparations for meetings, project work etc. The holding of physical meetings at home is not permitted due to public liability insurance.
- 3.2 There may be times when home working is required by HTC to meet business needs during times of emergencies or as required by law. This is not defined as "flexible" home working.
- 3.3 Working from home may enable work to be carried out efficiently and without disruption. It may also prove a more efficient use of time if employees who have been away from their work base for part of day and are closer to their home on their return journey, to complete the working day at home rather than at their normal place of work.

- 3.4 In cases where office facilities are shared or the employee risks continual interruption, the Town Clerk in consultation with the Council Chairman may agree that an employee may work from home. This may include agreeing to home working on a regular basis or for a fixed period as well as shorter ad hoc periods. All employees should be aware of the potential impact home working could have on teams e.g. isolation from the teams and/or Council activities and a reduction in managerial support, or supervision (if applicable).
- 3.5 It should be recognised that where certain tasks cannot be carried out by an employee at home, they must be carried out at the workplace or designated to another employee as agreed with the Town Clerk.

4. Eligibility

Employees are eligible to apply for working from home in the following circumstances:

- where the employee has successfully completed the probationary period attached to their job role;
- where the employee's role does not involve supervisory duties that require undertaking in person alongside the team members involved;
- where their home working environment is suitable;
- where no aspect of the employee's recent appraisal was marked as unsatisfactory;
- where the employee's disciplinary record is clean;
- where arrangements for full office cover during core business hours, Monday to Friday, may be arranged by the remaining complement of staff.

5. Conditions

- 5.1 Home working arrangements must suit both the Town Council and the employee.
- 5.2 In general, the Town Council will be supportive of employees working up to 2 days per week from home as long as core business needs are met and that the employee can meet all the requirements of their role from home. Longer periods of home working may also be approved at the discretion of the Town Council as directed by the Town Clerk in consultation with the employee.
- 5.3 The working environment should be distraction free for home working.
- 5.4 Risk assessments of the home working environment, in line with legal requirements, must be undertaken. A self-assessment form (Appendix 1) must be completed by the employee and agreed by the Town Clerk before home working can commence.
- 5.5 Requests shall be considered on their own merits, taking into account resources, impact on colleagues and working relationships.
- 5.6 When working from home, employees are responsible for ensuring they are contactable during normal working hours. This should be via a Council mobile telephone (where provided) or the employee's home or mobile telephone numbers. Microsoft Teams and/or Zoom are considered to be acceptable means of being contactable. Details of personal telephone numbers will remain confidential within the Town Council and messages will be taken and forwarded on.
- 5.7 As a general rule, it is not considered necessary for those working from home to require supplies of stationery etc. Large volumes of printing and collating of documents should be carried out on the Town Council premises where possible.
- 5.8 Home working agreements will be reviewed periodically in light of any change of circumstances, whether relating to the employee, the work they are required to undertake, the working environment or any new changes to legislation.

6. Home Working Trial Period

- 6.1 The aim of the trial period (one calendar month) is for both the employee and the Town Council to evaluate whether the new working arrangements are working out as planned. At the end of the trial period, the Town Clerk will meet with the employee to evaluate the success of the trial and if working from home by the employee may continue.
- 6.2 During the trial period or at the evaluation meeting, either side may propose that reasonable adjustments be made to facilitate a smoother working arrangement. The Town Council reserves the right to terminate working from home by declaring that the trial has been unsuccessful or if the proposed amendments are deemed unreasonable.

7. Responsibilities

- 7.1 **Health & Safety** - In line with the Health & Safety at Work Act 1974 ("the Act") and the Health & Safety Policy, the Town Council will ensure, as far as reasonably practical, the health, safety and welfare at work of all employees, including those working from home. The Town Council reserves the right to inspect home working premises in order to ensure that current risk assessments and Council Policies and procedures are being adhered to. Reasonable notice will be given to employees before any inspection is to be carried out. Employees are expected to carry out their work in such a way as to ensure, as far as reasonably practical, that there is no risk to health and safety to themselves, members of their family or visitors.
- 7.2 **Data Protection, Security & Confidentiality** - Arrangements for home working shall ensure that the employee can maintain the security and confidentiality of documents whilst complying with Data Protection legislation. Employees must follow set protocols on the use of the Town Council's Office 365 User Account, internet and computer usage at all times whilst discharging their duties. They must remain fully compliant with the General Data Protection Act Regulations (GDPR). All Data Protection, security and confidentiality measures must be adhered to along with all password protection in place for HTC computer systems as directed by the Town Clerk.
- 7.3 **Remote Access** - To enable remote access, employees shall use their Council issued laptop and office 365 User Account allowing full remote working with collaboration tools including Microsoft Teams, Outlook, Word and Excel. They must ensure that all Council owned equipment, such as, laptop and other devices are password protected and locked when not in use for a period of time and switched off at the end of the working day, to maintain data and information security.
- 7.4 **Running costs and expenses** – Where an employee is choosing to work from home, the Town Council will not normally contribute towards costs – for example, heating and lighting unless in exceptional circumstances to complete an urgent deadline or project which shall be considered on its own merits by the Town Clerk in consultation with the Council Chairman.
- 7.5 **Accidents, Incidents & Dangerous Occurrences** - In line with the Council's Accident Reporting Procedure, employees must inform the Town Clerk of any accidents, incidents or dangerous occurrences which take place whilst working from home. The initial report should be via telephone with the appropriate paperwork being completed on the employee's return to the workplace.
- 7.6 **Policies and Procedures** - All work carried out on Town Council business is covered by the requirements of the Council's Policies and procedures, even if this work is undertaken from home.
- 7.7 **Council Tax** - If the area of the house being used for home working is also used by the rest of the family at other times there are no implications regarding Council Tax. However, if the area is used solely for business and is not available to the family there may need to be a change of definition. In such cases the employee should check the details with the Billing Authority.

- 7.8 **Taxation** - Employees choosing to work from home are not entitled to tax relief on additional outgoings. As there is no requirement to work from home there would be no tax relief on any proportion of the costs for heating, lighting and rent on rooms used for business purposes.
- 7.8.1 An employee may, however, be able to claim tax relief for additional household costs if they work from home on a regular basis, either for all or part of the week. This includes if they have to work from home because of the Coronavirus Pandemic (COVID-19) (if it remains in existence at the time when HTC adopts the Policy). This must be kept under regular review and amended as appropriate.
- 7.9 **Insurance** - If any equipment owned by the Council becomes unusable due to theft or accidental damage by an employee, it will be covered by the Town Council insurance under its 'All Risks' Policy. Employee must, however, ensure that reasonable care is taken with all Council owned property in their possession.
- 8. Working from Home Arrangements (COVID-19) – [ACAS Guidance](#)**
- 8.1 Employers and employees should be practical, flexible and sensitive to each other's situation when working from home because of the Coronavirus (COVID-19) Pandemic.
- 8.2 There might be a need for ongoing changes to working arrangements during the COVID-19 pandemic. For example, because of changes to [Government rules](#) or employees' circumstances.
- 8.3 When making decisions about working from home, it's important employers and employees communicate regularly. For example, to discuss:
- which roles can and cannot be done from home
 - who may or may not want to work from home
 - any concerns and how best to handle them
- 8.4 This can also help make sure that decisions about working from home are fair and [follow discrimination law](#). An employee's pay and other terms and conditions of their employment stay the same, apart from having to work from home on a temporary basis. Employees working from home are still covered by [the law on working hours](#).

APPENDIX A

Risk Assessment - Home Working Environment

Questions	Yes / No	Comments
1. General		
<ul style="list-style-type: none"> Completed a DSE assessment? 		A template is appended to the Home Working Policy.
2. Chair		
<ul style="list-style-type: none"> Is the chair height adjustable? Is the back rest adjustable in height & tilt? Does the chair have a five-staff base? Is the chair comfortable? Do you need a footrest? 		
3. Desk / work surface		
<ul style="list-style-type: none"> Is the area large enough for all the equipment and the full range of tasks to be undertaken there (Employees should adopt a clear desk approach)? Is there sufficient clearance beneath the area for thighs and knees and to stretch the legs? Have you sufficient space to access your desk as well as more space around it? If you use a document holder is it positioned at same height and distance as your monitor? 		
4. Keyboard		
<ul style="list-style-type: none"> Is there sufficient space in front of the keyboard to place a wrist rest? Are all the keys present and in working order? 		
5. Mouse		
<ul style="list-style-type: none"> Is there sufficient space adjacent to the keyboard for the mouse to be used comfortably? Is it positioned close to the keyboard to prevent over extending or cramping of the wrist? Do you have a mouse mat? 		
6. Screen		

<ul style="list-style-type: none"> • Isthe monitor positioned firstly in front of you? • Isthe monitor positioned at the correct height? <i>(when looking horizontally eyes should be resting just below the top of the screen)</i> • Does the screen tilt and swivel easily? • Isthe image on the screen clear and stable? 		
6. Environment		
<ul style="list-style-type: none"> • Are there any manual handling issues relating to you working from home? • Is the work area free from trip hazards – including the tidying of cables and leads? • Does the route to your workplace involve using a loft ladder? • Are there access problems if you carry large or heavy items? • Is the general lighting adequate? • Can you eliminate strong light sources / reflections? • Is the temperature and ventilations adequate and free from draughts? • Is the work area free from distracting noise? • Will your home working activities involve significant use of the telephone? • Are you intending to use a mobile phone for this purpose or will you have access to a land line? • In relation to your electrical equipment is there any evidence of damage to plugs or leads? • Is there any evidence of overheating? • Are combustible materials kept away from sources of heat? • Do you have a smoke alarm fitted? • Do you know what action to take in the event of a fire? 		
7. I.T. Equipment		
<ul style="list-style-type: none"> • I have a suitable broadband internet connection and good wi-fi or a cable to the router 		

Response to employee’s self-assessment of the proposed working arrangements, following discussion with the Town Clerk.

Actions taken in relation to any risks identified:

I have reviewed the employee's request for home working with their line manager and:

a) I agree to the proposed occasional home working arrangements

OR (*delete as appropriate*)

b) I do not agree to the proposed home working arrangements for the following reasons:

Signed:.....

Date:.....

APPENDIX B

Risk Assessment - Home Working Environment

Displayscreen equipment (DSE) workstation checklist

Name:	
Date:	
Further action needed? Y/N	
Follow-up action completed on:	

The following checklist can be used to help you complete a risk assessment and comply with the Schedule to the Health and Safety (Display Screen Equipment) Regulations 1992 as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002.

The questions and 'Things to consider' in the checklist cover the requirements of the Schedule. If you can answer 'Yes' in the second column against all the questions, having taken account of the 'Things to consider', you are complying. You will not be able to address some of the questions and 'Things to consider', eg on reflections on the screen, or the user's comfort, until the workstation has been installed. These will be covered in the risk assessment you do once the workstation is installed.


Work through the checklist, ticking either the 'Yes' or 'No' column against each risk factor:

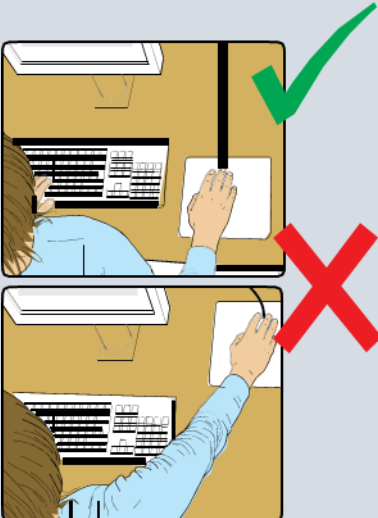
- 'Yes' answers require no further action.
- 'No' answers will require investigation and/or remedial action by the workstation assessor.
- They should record their decisions in the 'Actions to take' column.
- Assessors should check later that actions have been taken and have resolved the problem.

Remember, the checklist only covers the workstation and work environment. You also need to make sure that risks from other aspects of the work are avoided, e.g. by giving users health and safety training, and providing for breaks or changes of activity.

For more advice on these see *Working with display screen equipment (DSE): A brief guide*.

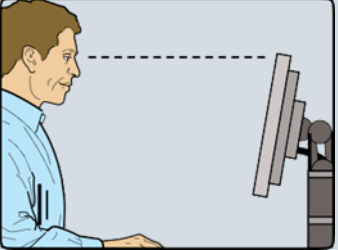

Risk Factors	Y/N	Things to consider	Action to take
Keyboards			
Is the keyboard separate from the screen?		This is a requirement, unless the task makes it impracticable (e.g. where there is a need to use a portable).	
Does the keyboard tilt?		Tilt need not be built in	
Is it possible to find a comfortable keying position?		<p>Try pushing the display screen further back to create more room for the keyboard, hands and wrists.</p> <p>Users of thick, raised keyboards may need a wrist rest.</p>	

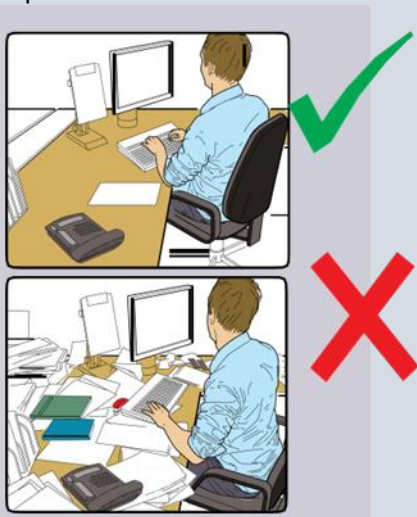
			
<p>Does the user have good keyboard technique?</p>		<p>Training can be used to prevent:</p> <ul style="list-style-type: none"> • hands bent up at the wrist; • hitting the keys too hard; • overstretching the fingers. 	
<p>Are the characters clear and readable?</p>		<p>Keyboards should be kept clean. If characters still can't be read, the keyboard may need modifying or replacing.</p>	

		Use a keyboard with a matt finish to reduce glare and/or reflection.	
Mouse Trackball etc			
Is the device suitable for the tasks it is used for?		If the user is having problems, try a different device. The mouse and trackball are general-purpose devices suitable for many tasks, and available in a variety of shapes and sizes. Alternative devices such as touch screens may be better for some tasks (but can be worse for others).	
Is the device positioned close to the user? 		<p>Most devices are best placed as close as possible, e.g. right beside the keyboard.</p> <p>Training may be needed to:</p> <ul style="list-style-type: none"> • prevent arm overreaching; • encourage users not to leave their hand on the device when it is not being used; • encourage a relaxed arm and straight wrist. 	

Is there support for the device user's wrist and forearm?		<p>Support can be gained from, for example, the desk surface or arm of a chair. If not, a separate supporting device may help.</p> <p>The user should be able to find a comfortable working position with the device.</p>	
Does the device work smoothly at a speed that suits the user?		<p>See if cleaning is required (e.g. of mouse ball and rollers).</p> <p>Check the work surface is suitable. A mouse mat may be needed</p>	
Can the user easily adjust software settings for speed and accuracy of pointer?		Users may need training in how to adjust device settings.	
Display Screens			
Are the characters clear and readable?		<p>Make sure the screen is clean and cleaning materials are available.</p> <p>Check that the text and background colours work well together.</p>	

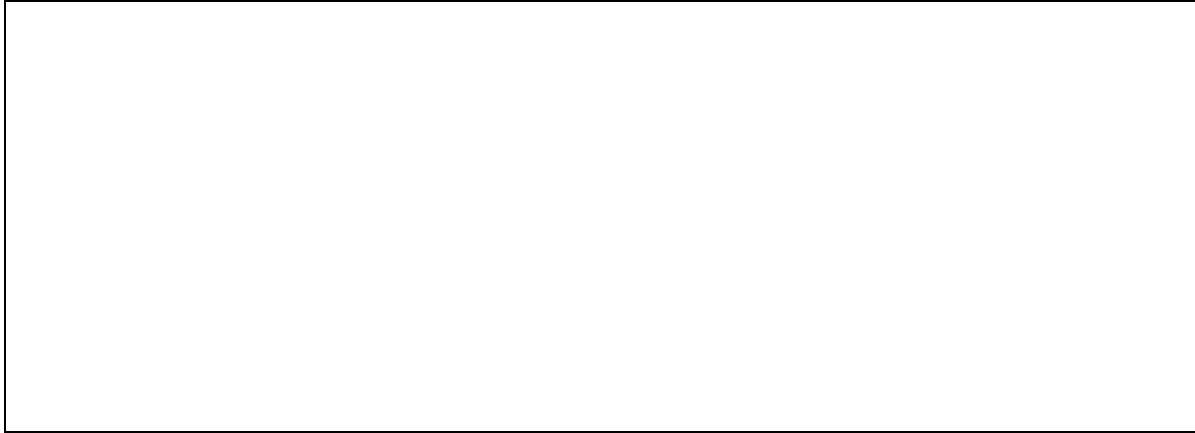
Is the text size comfortable to read?		Software settings may need adjusting to change text size.	
Is the image stable, i.e. free of flicker and jitter?		<p>Try using different screen colours to reduce flicker, e.g. darker background and lighter text.</p> <p>If there are still problems, get the set-up checked, e.g. by the equipment supplier.</p>	
Is the screen's specification suitable for its intended use?		For example, intensive graphic work or work requiring fine attention to small details may require large display screens.	
Are the brightness and/or contrast adjustable?		Separate adjustment controls are not essential, provided the user can read the screen easily at all times.	
Does the screen swivel and tilt?		<p>Swivel and tilt need not be built in; you can add a swivel and tilt mechanism.</p> <p>However, you may need to replace the screen if:</p>	

		<ul style="list-style-type: none"> • swivel/tilt is absent or unsatisfactory. • work is intensive; and/or • the user has problems getting the screen to a comfortable position. 	
<p>Is the screen free from glare and reflections?</p> 		<p>Use a mirror placed in front of the screen to check where reflections are coming from.</p> <p>You might need to move the screen or even the desk and/or shield the screen from the source of the reflections.</p> <p>Screens that use dark characters on a light background are less prone to glare and reflections</p>	
<p>Software</p>			
<p>Is the software suitable for the task?</p>		<p>Software should help the user carry out the task, minimise stress and be user-friendly.</p> <p>Check users have had appropriate training in using the software.</p> <p>Software should respond quickly and clearly to user</p>	

		input, with adequate feedback, such as clear help messages.	
Furniture			
<p>Is the work surface large enough for all the necessary equipment, papers etc.?</p> 		<p>Create more room by moving printers, reference materials etc elsewhere.</p> <p>If necessary, consider providing new power and telecoms sockets, so equipment can be moved.</p> <p>There should be some scope for flexible rearrangement.</p>	
<p>Can the user comfortably reach all the equipment and papers they need to use?</p>		<p>Rearrange equipment, papers etc to bring frequently used things within easy reach.</p> <p>A document holder may be needed, positioned to</p>	

		minimise uncomfortable head and eye movements.	
Are surfaces free from glare and reflection?		Consider mats or blotters to reduce reflections and glare.	
Is the chair suitable? Is the chair stable? Does the chair have a working: <ul style="list-style-type: none"> • seat back height and tilt adjustment? • seat height adjustment? • castors or glides? 			
Environment			
Is there enough room to change position and vary movement?		Space is needed to move, stretch and fidget. Consider reorganizing the office layout and check for obstructions Cables should be tidy and not a trip or snag hazard.	
Is the lighting suitable, e.g. not too bright or too dim to work comfortably?		Users should be able to control light levels, e.g. by adjusting window blinds or light switches. Consider shading or repositioning light sources or providing local lighting, e.g.	

		desk lamps (but make sure lights don't cause glare by reflecting off wall or other surfaces).	
Does the air feel comfortable?		DSE and other equipment may dry the air. Circulate fresh air if possible. Plants may help. Consider a humidifier if discomfort is severe.	
Are levels of heat comfortable?		Can heating be better controlled? More ventilation or air conditioning may be required if there is a lot of electronic equipment in the room. Or, can users be moved away from the heat source?	
Are levels or noise comfortable?		Consider moving sources of noise, e.g. printer, away from the user. If not, consider soundproofing.	
Final questions to users			
<ul style="list-style-type: none"> • Has the checklist covered all the problems they may have working with their DSE? • Have they experienced any discomfort or other symptoms which they attribute to working with their DSE? • Has the user been advised of their entitlement to eye and eyesight testing? • Does the user take regular breaks working away from DSE? • Write down the details of any problems here: 			



Further information

[Working with Display Screen Equipment \(DSE\): A brief guide](http://www.hse.gov.uk/pubns/indg36.htm) Leaflet INDG36(rev4) www.hse.gov.uk/pubns/indg36.htm

For information about health and safety guidance, visit www.hse.gov.uk

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