

# EMPLOYEE HANDBOOK

**Adopted by Personnel Committee on 26<sup>th</sup> January 2015** (Review Date: April 2018)

## INTRODUCTION

This Handbook covers important aspects of employment and we ask that you read it carefully in conjunction with the Contract of Employment given to you. It also sets out the Council's approved Personnel Policies and Rules of Employment.

This document is written to inform employees of their rights and conditions of employment but does not form part of your contract.

Tatenhill & Rangemore Parish Council has adopted the collective agreement known as the "Green Book" issued by the NJC for Local government Services (comprising representatives of employers & employees). The Green book contains four parts. Part 1 is Principles and Part 4 joint advice. It divides terms and conditions into key national conditions (Part 2) and national provisions which may be modified locally (Part 3). The Council's Employee conditions of service as set out in this handbook, build on the Green Book.

The Council sets out to reward the commitment of its employees, consistent with its financial resources and to provide a satisfying and flexible working environment in which staff are given the opportunity to develop. People are our most important asset and the quality and attitude of individuals is therefore the key to our continued success. Because of this, we will always treat each employee as an individual, and respect their rights and sensitivities.

NB References to notifications to be made to the Parish Clerk should be read as Chairman of Personnel Committee when the employee concerned is the Parish Clerk.

- Appendix 1: Equality Policy
- Appendix 2: Officer Code of Conduct
- Appendix 3: Member/Officer Protocol

## **ABSENCES**

Absence causes reduced levels of customer service. The Council's Absence Policy provides a framework which helps us all to manage absenteeism and provides support to everyone involved. It recognises the need for a mutually responsible and caring approach to managing absence consistently.

We do accept and understand that from time to time, our staff will be ill, may need to take time away from work to look after their family, or may need to take time off to attend to some other urgent matter. However for the above reasons, we do view persistent absence from work as a serious matter. Dealing with long term sickness will require a different approach to that needed for repeated short-term absences.

Absence rates will be monitored within our Organisation. Along with an employee's absence rate, we will always review and consider the reason for their absence and will discuss this with the employee. By taking the time to understand why our staff are absent from work, we will be able to explore options with them and hopefully find solutions that will help them to attend work regularly.

The rules for notifying absences and payment during absences are set out in your Contract of Employment.

## **ACCEPTANCE OF GIFTS, REWARDS AND HOSPITALITY**

The acceptance of gifts and hospitality are particularly sensitive areas. The way in which you receive a gift/hospitality depends on the type of relationship involved and the context in which the gifts/hospitality are offered. Staff should always bear in mind the following points:

There must be nothing in your behaviour, which might give rise to a suspicion that you are acting in your own private interest, which might lead to a conflict of interest.

Your actions should never give the impression:

- to the public
  - to any organisation with which you deal
  - to your colleagues
- that a gift or reward could influence the way in which you deal with any person or organisation.

You must comply with the Officer Code of Conduct and Member-Officer Protocol adopted by the Council.

## **ACCOMPANIMENT**

"Workers" have a statutory right to be accompanied by a fellow worker or by a trade union official, where they are required or invited by their employer to attend formal disciplinary or grievance hearings and they make a request to be so accompanied.

The 'companion' will be either:

- a fellow worker (another worker of the same employer);
- a full time official employed by a Trade Union; or
- a lay trade union official or workplace representative who has been specifically certified in writing by their union to act as a companion at disciplinary or grievance hearings.

There may be no automatic legal right for a worker to be accompanied at a fact-finding interview (an investigatory meeting) prior to a formal disciplinary meeting, although if that investigatory interview, for instance, centres on a specific individual and disciplinary proceedings are likely to follow, then the right to be accompanied is likely to apply.

The Council will also allow an employee to be accompanied under the Appeal Procedure or Competence Procedure.

## **ACCOMPANYING PERSON**

A worker who has been requested to accompany a colleague employed by the same employer is entitled to take a reasonable amount of paid time off to fulfil this responsibility. Acting as a companion is voluntary and employees are under no obligation to do so. The right to be accompanied by a trade union official is not limited to where the trade union is recognised by the employer.

The Council may, at its discretion, allow you to bring a companion who is not an employee or union official (for example, a member of your family, but not a legal representative) where this will you have language difficulties.

The companion is allowed to participate in the hearing and will be allowed to ask questions. The companion has the legal right to address the hearing, but does not have the legal right to answer questions on behalf of the worker. Facilities will be made available to allow a reasonable amount of time for preparation and to confer privately during the course of the hearing.

If the designated companion cannot attend a hearing at the time proposed, the worker can suggest a reasonable alternative which must be within 5 working days of the first date suggested.

### **ADOPTION LEAVE**

Any employee who is adopting a child and meets certain qualifying conditions has the right to take 26 weeks ordinary unpaid adoption leave and the right to an additional 26 week's of unpaid absence.

To qualify, you will need to have been continuously employed for at least 26 weeks. Statutory Adoption pay may be able to be claimed by some employees.

### **ALCOHOL/SUBSTANCE ABUSE**

Any individual thought to be under the influence of excess alcohol or drugs will be escorted home and may be subject to action under the laid down disciplinary procedures.

If you are taking drugs prescribed by your doctor, that may give rise to side effects which could affect your performance at work, it would be helpful if you would advise the Parish Clerk or Chairman.

### **APPEAL PROCEDURE**

An appeal against a disciplinary/competency decision must be notified to the Parish Clerk, or Chairman in writing, within three working days of the receipt of written confirmation of disciplinary/ competence action taken. The appeal will be considered as soon as possible, usually within 10 working days and an invitation will be made to discuss the matter fully.

The procedure is designed to ensure that employees are treated fairly and lawfully in all matters of discipline, competency and dismissal.

During the appeal meeting, the onus will be on the employee to put forward the grounds for appeal and any new evidence which could alter the original decision. The employee will be requested to provide prior written notification of the reasons for the appeal. If any new information comes to light we will provide you with details in writing. You will have reasonable opportunity to consider this information before the meeting. If you raise any new matters in your appeal, we may need to carry out further investigation.

Following the appeal we may:-

- Confirm the original decision;
- Revoke the original decision; or
- Substitute a different outcome;

The outcome of the appeal will be final, it will be notified to you in writing within 5 working days and copies of all relevant correspondence will be retained on the Personnel File.

### **ATTENDANCE**

The Council requires regularity of attendance from its employees. This is of the utmost importance in maintaining an efficient business and high quality service to customers. Breaches of this requirement may invoke the Council's Disciplinary Procedures.

### **BEREAVEMENT**

If you suffer a bereavement in your immediate family - that is, the death of a parent, spouse, brother, sister, son, daughter, in-laws, legal guardian or partner, paid leave will be allowed for the funeral. Additional leave may be allowed for immediate family bereavement at the discretion of the Council.

## **COUNCIL CAR POLICY**

Where the Council authorises an employee to use a private car on official business, the employee will receive a casual user allowance in accordance with the approved Green Book rate

The Council reserves the right to request copies of the individual's insurance certificate and driving licence, to ensure adequate cover is in place for the business use of the vehicle.

## **COUNCIL SICK PAY**

The Scheme is intended to supplement Statutory Sick Pay so as to maintain normal pay during defined periods of absence. Employees are entitled to receive Council sick pay after the Probationary Period or after 4 months employment for the following periods, providing the Absence Procedure has been fully complied with:-

During 1 <sup>st</sup> year of service	1 months full pay and 2 months half pay
During 2nd year of service	2months full pay and 2 months half pay
During 3 <sup>rd</sup> year of service	4 months full pay and 4months half pay
During 4 <sup>th</sup> & 5 <sup>th</sup> year of service	5 months full pay and 5months half pay
After 5 years of service	6 months full pay and 6 months half pay

The amounts are calculated in accordance with the Green Book.  
The Council has discretion to extend the period of sick pay in exceptional cases.

## **COMPETENCE PROCEDURE**

This procedure is separate from the Disciplinary Procedure and is not intended to deal with misconduct, but cases where an employee is unable for any reason to satisfactorily carry out the work required by the job description. It provides a framework within which managers can work with employees to maintain satisfactory performance and to encourage improvement where necessary. The Procedure is set out for guidance purposes and does not form part of your contract of employment.

The Council will make every effort to discuss with the employee, the reasons for the inability to satisfactorily carry out work. It will jointly with the employee, seek solutions such as offering training or development opportunities, additional equipment or if possible changing the duties of the post. It will also look at the time or location if these are relevant.

It may be necessary, dependent upon the circumstances of the competence issue, to suspend the employee on full pay, or to limit the scope of the work, whilst the necessary alternatives are investigated.

The capability issue may be associated with health or disability, the Council will seek as much information as possible and may require medical reports. The Council will see if it can make reasonable adjustments which will help you with your disability at work.

If these options do not provide a solution, the Council will seek to offer suitable alternative employment where possible. Termination of the Contract of Employment will only be pursued as a last resort.

In the first instance, performance issues should normally be dealt with informally stemming from the annual Employee Development Review. Informal discussions may be held to:-

- Clarify the required standard
- Identify areas of concern
- Establish causes of poor performance
- Setting targets for improvement and/or
- Agreeing a time scale for review

The formal procedure will be used for more serious cases, or where informal discussions have not resulted in a satisfactory improvement. The hearing will be held with the Parish Clerk (or Personnel Committee on the case of the Clerk).

You must also take reasonable steps to attend a hearing. Failure to do so without good reason may be treated as misconduct. You will be entitled to be accompanied to a formal hearing.

### **Stage 1 Competence Hearing**

The purpose of the first stage hearing include:-

- Setting out the required standards that are considered not to be met;
- Establishing the likely causes of poor performance;
- Allowing you the opportunity to explain the poor performance and ask relevant questions;
- Discussing measures which may help you improve your performance
- Setting targets for improvements;
- Setting a time scale for review;

Following the hearing, we will if we deem it appropriate to do so, give you a written warning setting out:

- The areas in which you have not met the required performance standards;
- Targets for improvements;
- Measures such as additional training, or supervision which will be taken with a view to improving performance;
- A time scale for review;
- The consequences of failing to improve within the review period, or of further unsatisfactory improvement;

The warning will normally remain active for 6 months, but will be a permanent part of your personnel record. At the end of the review period:-

- If we are satisfied with your performance, no further action will be taken; or
- If we feel there has been a substantial but insufficient improvement, the review period may be extended, or
- If we are not satisfied, the matter may be progressed to stage 2.

### **Stage 2 Competence Hearing**

If your performance does not improve within the review period, or if there are further instances of poor performance while your first written warning is still active, we will hold a second capability hearing. The Council reserve the right to proceed directly to the Stage 3 Competence Hearing where poor performance is serious enough to justify this.

The purposes of the second capability hearing are similar to those of the first stage hearing but include the identification of further measures which may be appropriate:

Following the hearing, if we decide that it is appropriate to do so, we will give you a final written warning, setting out:

- The areas in which you have not met the required performance standards;
- Targets for improvement;
- Any measures, such as additional training or supervision, which will be taken with a view to improving performance;
- A further time-scale for review;
- The consequences of failing to improve within the time-scale or of further unsatisfactory performance;

A final written warning will normally remain active for 12months, but will form a permanent part of your personnel record.

Your performance will be monitored and at the end of the review period we will write to inform you of the next step, as follows:-

- If we are satisfied with your performance, no further action will be taken;
- If we are not satisfied, the matter may be progressed to a stage 3 capability hearing; or
- If we feel that there has been a substantial but insufficient improvement, the review period may be extended;

### **Stage 3 Competence Hearing**

If your performance does not improve within the further review period set out in the final written warning, or if there are further serious instances of poor performance while your final written warning is still active, we will hold a further capability hearing.

The purposes of the stage 3 hearing include:-

- Setting out the required standards that are considered not to have been met;
- Identifying areas in which performance is still unsatisfactory;
- Allowing you the opportunity to explain the poor performance and ask any relevant questions;
- Establishing whether there are any further steps that could reasonably be taken to rectify the poor performance;
- Establishing whether there is any reasonable likelihood of the required standard of performance being met within a reasonable time; and
- Discussing whether there is any practical alternative to dismissal, such as redeployment to any suitable job that is available at the same or lower grade;

In exceptional cases where we believe that there is a reasonable likelihood of the necessary improvement being made within a reasonable time, a further review period will be set and the final written warning extended.,

If performance remains unsatisfactory and there is to be no further review period, we may:-

- Redeploy you into another suitable job at the same or [if your contract permits] a lower grade; or
- Dismiss you;

Dismissal will normally be with full notice or payment in lieu of notice, unless you are guilty of gross misconduct within the meaning of our disciplinary policy, in which case we may dismiss you without notice or any pay in lieu.

Employees are entitled to appeal against any dismissal decision, in accordance with the Appeal Procedure.

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### **COMPUTERS**

This policy applies to the activities which constitute unacceptable use of any computer equipment operated by the Council for use by its employees and Members.

1. The creation, transmission or deliberate receipt of any offensive, obscene or indecent images, data or other material or any data capable of being resolved into obscene or indecent images or material.
2. The creation of material which is designed or likely to cause annoyance, inconvenience or needless anxiety.
3. The creation or transmission of defamatory material.
4. The transmission of material in any way that infringes the copyright of another person.
5. The transmission of unsolicited commercial advertising material to networks belonging to other organisations.
6. Deliberate actions or activities with any of the following characteristics:
  - Wasting staff effort or networked resources
  - Corrupting or destroying another users data
  - Violating the privacy of other users
  - Disrupting the work of other users
  - Other misuse of networked resources by the deliberate introduction of viruses
  - Playing games during working hours

### **CONFIDENTIAL INFORMATION**

The Council encourages openness and the passing of information both internally and between itself and its partners. Nevertheless, during your employment you are likely to have access to confidential information relating to the Council's business or about clients or members of the public. This may include details of processes, materials, services and plans, costs and client lists. You must not disclose

to, or discuss with a third party at any time, any information which you know or suspect to be confidential without seeking the authority of the Council.

### **CONTRACTS OF EMPLOYMENT**

A Contract of Employment will be given to each employee at the earliest opportunity following their employment commencing. It will contain the statutory written Statement of Employment Particulars and other main terms of Employment. Two copies will be issued, one to be signed and returned by the employee, the other for his/her retention.

Minor amendments to the Contract, e.g. a change in salary, will be amended by letter. More substantial changes, e.g. a promotion, may require the issue of a replacement Contract. Please keep your Contract, any amendments, your job description and person specification safe for future reference.

### **DECLARATION OF INTEREST**

Staff are required to declare any interest they or a member of their family may have in accordance with the Officers' Code of Conduct.

### **DEPENDANTS**

Employees have the right to reasonable time off **without** pay during working hours to deal with incidents involving a dependant.

The right is limited to urgent cases of real need and is subject to advising the Parish Clerk/Chairman of the need to deal with the incident.

### **DISABLED PERSONS**

If you are disabled, please ensure that the Council has a record of this and, if you are registered disabled, of your disablement number. The Council seeks to eliminate discrimination on the grounds of disability. The Council will consider any reasonable request to carry out adaptation to make it easier for you to carry out your work.

### **DISCIPLINARY PROCEDURE**

#### **1. Introduction**

1.1 This disciplinary procedure is designed to help and encourage employees to achieve and maintain acceptable standards of conduct and job performance at all times, including the need to: -

- Fulfil the duties specified in their contract of employment.
- Be honest and act beyond suspicion of dishonesty.
- Maintain high standards of integrity and conduct to protect the council's image and reputation with the public.

1.2 It is the Council's policy to ensure that any disciplinary matter is dealt with fairly and that steps are taken to establish the facts. Employees should not be dismissed or subjected to disciplinary action without being provided with the following:-

- a written statement of the allegations
- a fair hearing before any decision is reached; and
- the right to an appeal hearing

1.3 This policy indicates the disciplinary procedure that will normally be followed in the event of misconduct. The following list provided examples of conduct that will normally be regarded as misconduct leading to disciplinary proceedings. The list is not exhaustive. These are examples only:-

- i Unsatisfactory time keeping.
- ii Time wasting.
- iii Absenteeism, including any absence from work during a working day without prior authorisation or instruction.
- iv Damage to, or unauthorised use of Council property
- v Failure to comply with rules, regulations and procedures, applicable to job requirements.
- vi Minor breaches of your contract of employment.
- vii Failure by an employee to perform the duties and responsibilities of his or her post

to the standard expected by the Council.

- viii Obscene language or other offensive behaviour.
- ix Insubordination or refusal to follow instructions.
- x Any other conduct that from time to time is defined by the Council as amounting to misconduct or breach of Council General Rules.

## 2.0 **Disciplinary Rules**

### 2.1 General Rules

- Employees have an obligation to ensure that they conform to the requirements of an Equalities Policy and must not act in a manner which could be considered to be of an unlawful discriminatory nature against fellow employees, customers, or other people with whom they come into contact on the Council's business.
- Employees are expected to achieve and maintain a good standard of workmanship and cleanliness and to show a conscientious approach to the job or to the detail of that job to a standard that may reasonably be expected.
- To ensure maximum efficiency, employees are engaged on the basis that they must be prepared to undertake reasonable duties other than those for which they have been specifically engaged.
- A Council telephone must not be used for private purposes without prior permission.
- An orderly and courteous manner must be maintained in front of the public.
- The Council's time, material or equipment must not be used for any unauthorised use.
- All authorised notices displayed are expected to be read and observed.
- Employees are expected to act wholeheartedly in the interests of the Council at all times. Any conduct detrimental to its interests or its relations with its customers, suppliers, the general public or damaging to its public image shall be considered to be in breach of the Council's rules.
- Employees must not perform, arrange, or carry out any work or activity which could be considered to be in competition with or which adversely affect in any way the Council's interests.
- Employees must act in accordance with the Council's operating procedures and policies.
- Employees must take reasonable care of the health and safety of employees and third parties.
- Comply with all reasonable instructions given.
- Observe confidentiality.

### 2.2 Gross Misconduct

Gross misconduct, is misconduct which, in the Council's opinion, is serious enough to prejudice its business or reputation, or which irreparably damages the working relationship and trust between employer and employee. It is a serious breach of contract and may lead to summary dismissal, that is dismissal without notice on any compensation.

The following list provides examples of conduct that will normally be regarded by the Council as Gross Misconduct. This list is not exhaustive. These are examples only:

- Refusal or repeated failure by an employee to carry out his or her duties.
- Falsification of documents or information (including expense claims).
- Unauthorised disclosure of confidential information.
- Assault, physical violence or bullying whilst acting or purporting to act on behalf of the Council.
- Insulting, indecent or offensive behaviour towards a fellow employee or any other person whilst acting or purporting to act on behalf of the council.
- Serious or repeated harassment (including sexual and racial harassment).
- Bringing the organisation into serious disrepute.
- Incapacity at work due to the influence of alcohol, un-prescribed drugs or any other substance.
- Wilful damage to Council property.
- Deliberately accessing internet sites containing pornographic, offensive or obscene material.
- Theft, unauthorised use or possession of council property or fraud.
- Serious insubordination.
- Conduct bringing the Council into disrepute.
- Serious breach of health and safety rule.
- Any other conduct that from time to time is defined by the Council as amounting to gross misconduct.

### 3.0 **Scope & Explanation of Terms**

3.1 This Procedure applies to all employees regardless of status or length of service, except to employees in their probationary period. It is for guidance and does not form part of your contract of employment. This Procedure does not apply to cases involving genuine sickness absence; proposed redundancies; or poor performance and competence.

If you have difficulty at any stage of the procedure because of a disability or language you should discuss the situation with the Council.

If you believe that disciplinary action is being taken against you for a reason that does not relate to your conduct, or for a reason which is discriminatory, you should submit a grievance in writing under the Grievance Procedure before the appeal hearing takes place.

3.2 For first instances of minor misconduct, the Parish Clerk (or Personnel Committee in the case of the Clerk) may speak to the employee informally before implementing a formal disciplinary procedure. However there is no obligation to do this.

### 3.3 **Confidentiality**

The Council's aim during an investigation or disciplinary procedure is to deal with matters as sensitively as possible and with due respect for the privacy of the individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. You nor any person accompanying you are not permitted to make any electronic recordings of any investigative meetings, disciplinary or appeal hearings.

### 3.4 **Investigation**

The purpose of an investigation is for the Council to establish a fair and balanced view of the facts before deciding whether to proceed with a disciplinary hearing. This may involve reviewing any relevant document, interviewing you and any witnesses, and taking witness statements.

Investigation interviews are solely for the purpose of fact finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.

You do not normally have the right to bring anyone to an investigation interview, however the Council may agree to you bringing a companion if it helps you to overcome a difficulty caused by a disability or language.

You must cooperate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending any investigation interviews.

### 3.5 **Suspension**

In cases of alleged gross misconduct, where the employee's continued presence at work may hinder an investigation, the Council may need to suspend them from work while an investigation or disciplinary procedure is on going. The suspension will be for no longer than necessary and will be confirmed in writing. While suspended you should not visit council premises, or contact its customers, suppliers, employees or contractors unless authorised by Council.

Suspension of this kind is not a disciplinary sanction and does not imply that any decision has already been made about your case. You will continue to receive your full basic salary and benefits during the period of suspension.

### 3.6 **Written Information**

Following any investigation, if we consider there are grounds for disciplinary action, we will inform you in writing of the allegations against you and the basis for these allegations. This will normally include:-

- a summary of relevant information gathered during the investigation;
- documents which will be used at the disciplinary hearing; and

- a written statement which will be used at the hearing, except where a witness's identity is to be kept confidential, in which case we will give you as much information as possible, while maintaining confidentiality.

### **3.7 Right to be accompanied**

You have a right to be accompanied at a disciplinary or appeal hearing as set out under the section earlier in this handbook, "Accompaniment".

## **4.0 Disciplinary Sanctions**

### **4.1 Verbal Warnings**

Verbal Warnings are issued by the Parish Clerk/Personnel Committee for most first instances of general misconduct, depending on the seriousness of the offence. If the employee is given a Verbal Warning he or she will be warned of the likely consequences of any further disciplinary offences or a failure to improve his or her conduct to the satisfaction of the Council. A note confirming the Verbal Warning will be placed on the employees personnel file. A Verbal Warning will normally remain in force for 6 months, but remain permanently on your Personnel record.

The Verbal Warning stage of the procedure may be omitted if the offence is of a sufficiently serious nature.

### **4.2 First Written Warning**

In the case of a more serious offence or repetition of an earlier minor offence the employee will normally be given a First Written Warning. A First Written Warning will be issued by the Parish Clerk Personnel Committee and will set out:

- i. the nature of the offence and the improvement required (if appropriate) and over what period;
- ii. the likely consequences of any further offence or failure by the employee to improve his/her conduct to an acceptable standard;
- iii. that further offences will result in more serious disciplinary action; and
- iv. the employee's right of appeal.

A first Written Warning will normally remain in force for 12 months, but remain permanently on your Personnel Record. The First Written Warning stage of the procedure may be omitted if the offence is of a sufficiently serious nature.

### **4.3 Final Written Warning**

If further misconduct occurs within the time period specified in a First Written Warning, or if the misconduct is sufficiently serious the employee will be given a Final Written Warning. A Final Written Warning will be issued by the Parish Clerk/ Personnel Committee and will set out:

- i. the nature of the offence and the improvement required (if appropriate) and over what period;
- ii. the likely consequences of any further offence or a failure by the employee to improve his/her conduct to an acceptable standard;
- iii. that further offences will result in more serious disciplinary action up to and including dismissal; and
- iv. the employees right of appeal.

Final Written Warnings may also be issued in circumstances where the misconduct does not amount to gross misconduct, but is sufficiently serious enough to warrant only one written warning. A Final Written Warning will normally remain in force for 24 months, but will remain permanently on your personnel records.

### **4.4 Dismissal**

The Council may dismiss you in the following circumstances:-

- i. misconduct during any probationary period; or
- ii. misconduct where there is an actual final written warning on your record; or
- iii. given misconduct regardless of whether you have received any previous warnings.

Given misconduct will usually result in summary dismissal without notice or payment in lieu of notice. In cases not involving gross misconduct you will be given your full contractual notice period, or payment in lieu of notice.

#### 4.5 **Alternative sanctions short of dismissal**

In appropriate cases the Council may consider some other sanction short of dismissal, such as:-

- demotion;
- transfer to another job or section;
- period of suspension without pay, but limited to a maximum of 5 working days;
- loss of seniority;
- reduction in pay, but limited to a maximum of 20% and for no longer than 6 calendar months;

These sanctions may be used in conjunction with a written warning.

#### 5.0 **Disciplinary Process**

- 5.1 In any case where misconduct at any level is alleged which cannot be dealt with informally, the Council will investigate the alleged misconduct and will establish the facts surrounding the complaint as necessary, taking into account the statements of any available witnesses.
- 5.2 In any case where investigation has shown that misconduct which cannot be dealt with informally or gross misconduct is likely to have occurred or, re-occurred, and the Council deems it appropriate to contemplate a disciplinary sanction, a disciplinary hearing will be held.
- 5.3 The Council will set out in writing the alleged conduct or other circumstances which lead the Council to contemplate dismissing the employee or taking disciplinary action against the employee and the basis for the allegation and will send the employee a copy of the statement inviting the employee to attend a disciplinary meeting to discuss the matter. The employee will be provided with a reasonable opportunity to consider his or her response to the information provided in the statement before attending the meeting. The employee must take all reasonable steps to attend the meeting, and failure to attend without good reason may be treated as misconduct on itself.
- 5.4 Disciplinary meetings will normally be convened within 10 working days of the Council sending the employee the written statement referred to in 5.3 above. The employee may be accompanied to any disciplinary meeting. The Council will be represented by the Parish Clerk or Personnel Committee.
- 5.5 If the time or date proposed for the meeting is inconvenient (either for the employee or for the employees companion should he or she wish to be accompanied to the meeting pursuant to 5.4 above) the employee may ask to postpone the meeting by up to 5 working days.
- 5.6 The purpose of the disciplinary hearing is to review the evidence and to enable you to respond to any allegations that may be made against you. If you have a companion, he or she may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the hearing.
- 5.7 It will not normally be necessary for witnesses to be questioned or cross examined at the disciplinary hearing but in exceptional cases, we may decide that a fair hearing could not be held otherwise.
- 5.8 The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the Council time to consider their decision.
- 5.9 After the meeting the Council will inform the employee of their decision and any applicable sanction within 5 working days. The meeting may be reconvened for this purpose. The decision will be confirmed to the employee in writing.
- 5.10 If the employee wishes to appeal against the decision he or she must notify the Council in writing within 5 working days of receiving written notice of the decision, stating your full grounds of appeal.

The employee will be invited to attend a disciplinary appeal meeting. The employee must take all reasonable steps to attend that disciplinary appeal meeting. The employee has the right to be accompanied to a disciplinary appeal meeting by a fellow employee or by a representative of a trade union.

5.11 The Appeal Procedure will be conducted as set out under Appeal Procedure, in this Handbook. A disciplinary appeal meeting will normally be convened within 10 working days of the Council receiving notification that the employee wishes to appeal. If the meeting date is inconvenient for the employee's companion he or she may ask to postpone the meeting by up to 5 working days.

- i. Any new evidence that the employee wishes to put forward will be considered, as will any new evidence from the Council. The original disciplinary penalty will be reviewed.
- ii. The disciplinary appeal sanction originally imposed cannot be increased upon appeal.
- iii. The disciplinary appeal meeting will not necessarily take place before any disciplinary sanction imposed by the Council takes effect. If the employee's appeal is against dismissal and the appeal is successful the employee will be reinstated and continuity of employment will be preserved.
- iv. The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the Council time to consider its decision.

After the disciplinary appeal meeting the Council will inform the employees of its final decision within 5 working days. The meeting may be reconvened for this purpose. The decision will be confirmed to the employee in writing.

### **EMPLOYEE DEVELOPMENT REVIEW**

As part of the Council's drive to improve quality and efficiency, employees will undergo an Employee Development Review at least annually and may be given individual targets which reflect contributions to the Council's objectives. The results may be used as part of the criteria for determining any incremental progression.

The Review will normally be conducted by the Parish Clerk or in the case of the Clerk, the Personnel Committee.

### **EMPLOYERS' LIABILITY/PROFESSIONAL INDEMNITY**

Under the Employers' Liability (Compulsory Insurance) Act 1969, the Council is insured against liability for personal injury and/or disease sustained by its employees arising out of or in the course of their employment. A copy of the certificate of insurance is available from the Parish Clerk.

Professional Indemnity cover provides protection against breach of professional duty. The policy is designed to protect you against claims made by third parties.

### **ENVIRONMENT**

The Council is very aware of their legal and moral responsibilities to look after the local and global environment. All employees are expected to contribute to any policies or procedures adopted by Council.

### **EQUAL OPPORTUNITIES (for Equalities Policy see Appendix 1)**

The Council is an Equal Opportunities employer. It is firmly committed to equal opportunities policies which aim to eliminate discrimination wherever it may exist on the grounds of sex, ethnic origin, disability, religious beliefs, sexual orientation or age, in the recruitment, promotion and training of its employees and in the provision of its services.

### **FLEXIBLE WORKING**

Employees with at least 6 months continuous service are entitled to request a flexible working arrangement, on a permanent basis, in terms of hours, location and pattern of work, in order to enable them to care for a child under 6 years (18 if registered disabled).

Employees are requested to submit a written application at which time the Council will convene a meeting to discuss the circumstances and effect on the Council.

## **GRIEVANCE PROCEDURE**

### **1. Basic Information**

- 1.1 It is the Council's policy to ensure that all employees have access to a procedure to help resolve any grievances relating to their employment quickly and fairly. This Grievance Procedure is for guidance only and does not form part of your contract of employment.
- 1.2 The procedure applies to all employees regardless of length of service.
- 1.3 Any steps under this procedure should be taken promptly unless there is good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so.
- 1.4 The Council may vary this procedure as appropriate to a particular case. It will always inform you in writing of the final outcome of your grievance.
- 1.5 Written grievances will be placed on your personnel file along with a record of any decisions taken; any appeal notice; the outcome of any appeal; and any notes or other documents compiled during the grievance process.

### **2. Raising Grievances Informally**

- 2.1 Most grievances can be resolved quickly and informally through discussion. You may speak informally to the Parish Clerk or Chairman of Personnel Committee. If this does not resolve the problem you should follow the standard procedure.

### **3. Written Grievance**

- 3.1 You should put your grievance in writing to Parish Clerk or the Chairman of Personnel.
- 3.2 If you wish to raise a grievance after your employment has been ended, you should submit it in writing under the standard procedure. If you raise a grievance after employment has ended or if you raise a grievance before employment ends and the procedure has not been completed at the termination of employment, we will follow the standard procedure to conclusion.
- 3.3 The written grievance should indicate that you are invoking this grievance procedure and contain a brief description of the reasons for your complaint, including any relevant facts, dates, and names of individuals involved. In some situations we may need to ask you to clarify the subject matter of your grievance in advance of the meeting or provide further information.

### **4. Meetings and Investigations**

- 4.1 You will be invited to a grievance meeting, which will normally take place within 10 working days after we have received your written grievance. We may carry out such investigations as we consider appropriate prior to the meeting. This may involve interviewing you and witnesses if appropriate.
- 4.2 You may bring a companion to any of the meetings under this procedure. (see Accompaniment section earlier in the Handbook).
- 4.3 You must take all reasonable steps to attend any meetings. If you or your companion cannot attend at the time specified for a meeting, you should inform us immediately and we will make reasonable efforts to agree an alternative time.
- 4.4 The purpose of the initial grievance meeting is to enable you to explain your grievance and to discuss it with us. If you have a companion, they may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
- 4.5 After the initial grievance meeting we may carry out such further investigations and/or hold such

further grievance meetings as we consider appropriate.

- 4.6 We will usually inform you of our decision and of your right of appeal within 5 working of the final grievance meeting. We may hold a meeting to give you this information but in all cases it will be confirmed in writing.

## **5. Appeals**

- 5.1 Should you wish to appeal you should do so in writing to the Parish Clerk, or the Chairman of Personnel Committee, stating your full grounds of appeal, within 5 working days of the date on which the decision was sent or given to you.

- 5.2 An appeal hearing will then be held in accordance with the Appeals Procedure.

## **HARASSMENT POLICY AND PROCEDURE**

The Council recognises the right of every employee to work in an atmosphere free of harassment and to complain about it should it occur. The Council agrees to take appropriate steps to promote such a workplace.

It is against the policies of this Council for any employee to harass another employee in any way. Such conduct will not be tolerated. All employees will be expected to comply with this policy, and appropriate disciplinary action, including dismissal for serious offences, will be taken against any employee who violates this policy.

### **What is harassment?**

There is not a single simple definition of harassment. This is because harassment can take many forms, occur on a variety of grounds and may be directed at an individual or group of individuals. Harassment may occur between people of the same sex or the opposite sex. It is not the intention of the perpetrator but the deed itself and the impact on the recipient which determines what constitutes harassment. Ultimately, the question which has to be asked is has an individual or group of individuals been treated in a detrimental way on improper grounds?

### **Grounds of Harassment**

Individuals may claim that they are subject to harassment on a wide variety of grounds including:

- their race, ethnic origin, nationality or skin colour
- their sex or sexual orientation
- their religious or political connections
- their willingness to challenge harassment, leading to victimisation
- their membership or non membership, of a trade union
- their disabilities, sensory impairment or learning disabilities
- their status as ex offenders
- their age
- their real or suspected infection with Aids/HIV

1. Wherever possible, an employee who believes that he or she has been the subject of harassment should, in the first instance, ask the person responsible to stop the harassing behaviour as it is unacceptable to them. Person to person reproof at an early stage will often be sufficient to stop the behaviour which is causing the offence without involving third parties.
2. If the recipient needs help or advice, they should seek the involvement of trusted friends. This would still be short of making the matter official by involving management.
3. If the harassment continues the employee should take their complaint through the grievance procedure.

## **HEALTH AND SAFETY**

Please make sure you read and understand any policy on health and safety which the Council may adopt. You must have regard for the safety and well-being of yourself and others at work. Please report

all potential hazards, dangerous occurrences and accidents to the Parish Clerk or Personnel Chairman. It is important that you co-operate with any investigations into accidents or dangerous occurrences.

You will be issued with protective clothing where this is appropriate to your duties. You are required to wear clothing as directed.

### **Accidents**

If you are injured during the course of your work or are involved in a dangerous incident, report this to the Parish Clerk/Personnel Chairman as soon as possible. Please ensure that an entry is made in the Accident Book.

### **Fire Instructions**

You must familiarise yourself with the instructions displayed on the notice boards in any premises you are required to work.. Please also acquaint yourself with at least the two fire exits nearest to the area in which you are working.

### **Display Screen Equipment/Eye Tests**

To meet the requirements of the Display Screen Equipment Regulations the Council will provide a free eye test for all staff who use VDU equipment as a major part of their job role.

### **HOLIDAY ENTITLEMENT**

These are set out in your Contract of Employment.

### **HOURS OF WORK**

These are set out in your Contract of Employment. Overtime payments are made at the following rates when 37 hours have been worked in any one week.

Weekdays	-	Time and a half
Saturdays	-	Time and a half
Sundays & public holidays	-	Double time.

Time off in lieu will always be on a single time basis

The Working Time Regulations determine entitlements for working hours, breaks, rest and holidays. Information will be provided on request.

### **INDUCTION**

For new employees, induction training is carried out as soon as possible after a new employee commences employment, to accelerate their ability to do the job. The objectives of this training are to ensure that the new employee is:-

- able to understand the Council's philosophy, hierarchy, organisation and geography.
- introduced to colleagues and members.
- familiar with all the conditions which relate to his/her employment.

### **INFORMATION AND CONSULTATION**

The Council is exempt from the provisions of the Information and Consultation of Employees Regulations 2004, but never the less will provide employees with a level of Information and consultation. This will include all statutory notifications and the right to comment on changes to working conditions.

### **INFORMATION SECURITY**

The Council recognises it must at times, keep and process sensitive and personal information about both employees & the public and has set out its approach in its Information Security Policy, which all employees are expected to comply with.

The Council is very open about its operations and works closely with public, community and voluntary organisations. It will therefore make available all information which is not personal or confidential. Details of information which is available is contained in the Council's Publication Scheme.

Its Policy is based the principles that the Data Protection Act 1998 and seeks to strike a balance between the rights of individuals and the sometimes competing interests of those with legitimate reasons for using personal information.

## **JOB DESCRIPTION**

A job description has been prepared for each post, to give an accurate description of the main duties, responsibilities and relationship involved. It does not include every activity that might have to be done, but whatever is necessary to show the nature and purpose of the job. A copy will be issued with the Contract of Employment.

## **JURY SERVICE**

Employees are entitled to time off work to fulfil their obligations with regard to Jury Service. In the event of an employee being summoned to attend for Jury Service, they must notify the Council immediately on receipt of the Jury Summons, giving details of dates they are required to attend the Court.

In the event that an employee is retained on Jury Service for a prolonged period, the employee has an obligation to notify the Council and should keep in regular contact throughout the period.

Employees are expected to return to normal working immediately following their release from their duties. Employees are entitled to payment for this time off, but should claim expenses from the Court to cover their costs, and also compensation for loss of earnings. These will be payable to the Council.

## **MAKING A PROTECTED DISCLOSURE (Whistle-blowing)**

Employees are entitled to specific rights relating to the disclosure of certain types of information (or whistle-blowing). This protection applies in the following circumstances where the employee has reasonable belief that:-

- a criminal offence has been committed, is being committed or is likely to be committed;
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject;
- a miscarriage of justice has occurred, is occurring or is likely to occur;
- the health or safety of any individual has been, is being or is likely to be endangered;
- the environment has been, is being or is likely to be damaged; or
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

However, there will not be protection for the disclosure if the employee commits an offence by making the disclosure, or it is a disclosure in respect of which legal professional privilege would apply.

## **Qualifying Procedures**

In order for the disclosure to be protected, the employee must make it by one of the following methods or procedures:

- to the employer, or legally responsible person or appropriate person authorised by the employee to receive disclosures;
- to a legal advisor;
- to a prescribed person (i.e. to a listed regulatory body, such as the Health and Safety Executive, the Audit Commission or the Environmental Agency).

In addition, disclosure is protected if it is to an individual unconnected with the organisation, such as the police or the media. In this case an employee will only be protected if;

- the matter has previously been raised with the employer or prescribed person, or it has not been so raised because the employee reasonably believes that he or she will be victimised;
- if there is no prescribed person, the employee has a reasonable belief that a complaint to the employer would result in evidence being concealed or destroyed;
- the information has already been disclosed to the employer or prescribed person;
- the information is serious enough to justify bypassing one of the other specified procedures;
- the disclosure is made in good faith, in the reasonable belief that the claims are substantially true, not for the employee's personal gain; and
- it is "reasonable in all the circumstances" to make the disclosure.

## **MATERNITY LEAVE AND MATERNITY PAY**

Under the provisions of the Employment Rights Act 1996 (as amended by the Employment Act 2002, and regulations there under) you will be entitled to apply for Maternity/Paternity/Adoption leave. Please advise the Council at the earliest opportunity when advice will be given on your rights and how you can access them.

## **MATERNITY SUPPORT LEAVE**

Maternity support leave of up to 5 days with pay is available to the child's father or partner of the expectant mother at or around the time of birth

## **MEDICAL EXAMINATIONS**

If you are, or have been unable to carry out your duties as a consequence of illness or injury, you may be required to have an examination by a medical practitioner nominated by the Council. Any expense incurred will be met by the Council and you will be required to provide a copy of the resulting medical report.

Should this requirement be implemented, you will be consulted in advance and given full reasons as to why it is required.

## **(ACCESS TO) MEDICAL REPORTS**

In certain circumstances it may be necessary for the Council to obtain a Medical Report from an employee's Doctor/Specialist in order to establish:-

- Reason for absence.
- Duration of absence.
- When the employee will be able to return to work.
- What, if any, treatment is being prescribed.
- Whether the problem will recur.
- Whether the employee can do all the duties of the job.

The above will enable the Council to plan workloads. It is in the interests of both the employee and the Council to establish the employee's ability to work with the benefit of expert medical opinion.

Employees have certain rights under the Access to Medical Reports Act 1988 which are as follows:

- Employees may withhold consent to the report being sought.
- Employees can request to see the report prior to it being forwarded to the Town Clerk
- If employees indicate that they wish to see the report in advance the Council will inform the employee when the Doctor/Specialist is written to and he/she will be informed that he employee wishes to see the report. Employees then have 21 days to contact the Doctor/Specialist regarding arrangements to see the report.
- Should the employee indicate that he/she does not wish to see the report prior to the Council the employee has the right to write to the Doctor within 21 days of the report having been received. It is our policy to send employees a copy of the report in any event prior to a meeting being arranged to discuss the content.
- Employees have the right to ask the Doctor/Specialist for a copy of the report for up to 6 months after it has been supplied. There may be a charge for this. The Doctor/Specialist cannot submit the report to the Council without the employee's consent.
- Employees may ask the Doctor/Specialist to amend any part of the report which is considered by the employee to be incorrect or misleading. If the Doctor/Specialist is not in agreement the employee may attach a statement of his/her views with the report.
- If the Doctor/Specialist thinks the employee or others would be harmed by the report or any part of the report it can be withheld from the employee.

The Council would stress that no decision will be made that could affect an individual's employment without full consultation with that individual and careful consideration of all the circumstances. Where the Council wishes to obtain a medical report, employees will be asked for their written consent.

## **MEDICAL SCREENING**

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

## **OTHER EMPLOYMENT**

The rules are set out in your Contract of Employment and the Officer Code of Conduct.

## **PARENTAL LEAVE**

Employees are entitled to statutory, unpaid parental leave for the purpose of caring for a child if they are a parent of a child born or placed for adoption, on or after 15 December 1999, or of a child entitled to a disability living allowance. The employee must have one years service.

There are a number of statutory conditions which apply. Full details should be requested from the Parish Clerk or Personnel Committee.

## **PATERNITY LEAVE**

Fathers of newborn children, employees married to or partners of the child's mother or the partner of those adopting children are entitled to one period of leave off work, with Statutory Maternity pay, of either one week or two consecutive weeks to care for the child or support the child's mother (or the person with whom the child is placed for adoption).

Statutory Paternity Pay will be at the same rate as Standard Maternity Pay (or 90% of average earnings if this is less). To qualify employees must have been employed for at least 26 weeks in local government.

## **PART TIME WORKERS**

The Council will treat part time workers no less favourably than a full-time worker on the grounds that a worker is part-time.

In general, part-time workers are entitled to pay and benefits on a pro-rata basis which gives part-time workers the right to pay and benefits proportionate to those of full-time workers. This will normally mean the same (hourly) rate of pay as a comparable full-time worker, however, rates of pay for overtime will be payable at the same rate as comparable full-time workers only after the part-time worker has worked more than the normal full-time hours.

## **PAY POLICY**

By adopting the Green Book, the Council will determine pay according to current pay scales. Actual scale points are based on job content, responsibility, qualifications and experience.

Pay Scales are reviewed annually in April through national negotiation.

## **PAYMENT OF WAGES/SALARIES**

Salaries are currently paid by cheque following the Council meeting each calendar month. The Council will in future consider changing to payment every calendar month credit transfer to the bank or building society of your choice.

You will be given an itemised statement recording your gross salary, deductions and the net amount. Charity deductions will be made on request.

## **PENSION**

The Council does not currently operate a local authority pension scheme as a standard condition of employment, however it has applied to join the Staffordshire Scheme, which it is opening to all employees after they have completed any probation period.

The government has introduced new regulations to encourage more people to save for retirement. The government now requires employees to automatically enrol their workers into a "qualifying pension scheme", unless an individual employee opts out. The Local Government Pension Scheme (LGPS) is a qualifying scheme. This is being phased in over a number of years, with the larger employers having to introduce it first. Tatenhill Parish Council is not obliged to auto enrol until 1<sup>st</sup> January 2016. The Scheme would apply to staff aged 22 or over and below state pension age, and are paid more than a minimum level of band earnings.

If you were able to join the Staffordshire Local Government Pension Scheme, the Council would pay into the Scheme, the Employer contribution. You would then be required to pay the employee contribution which currently ranges from 5.5% to 7.5% depending on full time equivalent salary.

## **PERSONAL DETAILS**

We need to keep up-to-date information on your home address and telephone number, together with the name, address and telephone number of your next of kin (or other such person) for emergency contact purposes. Please inform the Council in writing of any changes of the above to personal details.

The Council will respect the confidentiality of any personal information that it keeps.

## **PROCESSING OF PERSONAL DATA**

Data protection legislation regulates the way in which certain data about employees, both in paper and electronic form, is held and used. The following will give employees some useful information in terms of the type of data that the Council keeps about them and the purpose for which this is kept.

Throughout employment and for as long as is necessary after the termination of employment, the Council will need to process data about employees for purposes connected with their employment, including their recruitment and the termination of their employment. Processing includes the collection, storage, retrieval, alteration, disclosure or destruction of data.

The kind of data that the Council will process includes:

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

The Council believes that those records used are consistent with the employment relationship between the Council and its employees and with the data protection principles. The data the Council holds will be for management and administrative use only but the Council may, from time to time, need to disclose some data they hold about employees to relevant third parties (e.g. where legally obliged to do so by the Inland Revenue or where requested to do so by employees for the purpose of giving a reference).

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

Employees may, within a period of forty days of their written request or, where applicable, a period of forty days from the payment of the fee, inspect and/or have a copy, subject to requirements of the legislation, of information in their own personnel file and/or other specified personal data and, if necessary, require corrections should such records be faulty. Those employees who wish to do so must make a written request to the Parish Clerk or Personnel Committee.

The Council is entitled to change the above provisions at any time at its discretion.

## **PERSON SPECIFICATION**

A person specification has been prepared for each post, to set out the personal characteristics, experience and competencies likely to be required for a person to undertake the role.

A copy will be issued with the Contract of Employment and job description.

## **PROBATIONARY PERIOD**

If you are new to local government or do not have continuous service you are subject to a probationary period of up to six months during which time your performance and ability will be assessed. At the end of the period, and subject to a satisfactory report by your line manager, your probation period will have been fulfilled and your employment confirmed.

If your performance has not met expectations during the probationary period the Council may extend the probationary period with an action plan being agreed. If ultimately performance remains unsatisfactory at the end of such extension your employment will not be confirmed and your employment terminated.

## **PUBLIC DUTIES**

Employees who hold certain public positions have the right to reasonable time off with pay during working hours to perform duties associated with these positions. Where an allowance is claimable for loss of earnings, the employee must claim and pay the allowance to the Council.

## **RECRUITMENT**

The Council believes that it is important to recruit the right person to any vacancy, be it a new job or a replacement for an existing position. It will always make clear the qualities and experience it is looking for.

The Council will rigidly apply its equal opportunity policies. Where appropriate, existing employees will be encouraged to apply for other positions within the Council.

## **REDUNDANCY/REDEPLOYMENT POLICY**

It is the Council's policy to provide to the best of its ability, security of employment for its employees. However, it is recognised that over time, changes in the political environment, funding regimes and other operational requirements may impact on the staff resource required to deliver organisational objectives. Where a redundancy situation is anticipated all alternatives will be explored for any potential surplus staff. If after exhausting all alternatives, redundancy is unavoidable the Council will endeavour to handle such redundancy in a consistent, objective and sympathetic manner to minimise hardship for the employees concerned.

Where the Council is considering redundancies or a reorganisation which is likely to impact on its workforce it will consult at the earliest opportunity. Such consultation will be undertaken with a view to reaching agreement and will be aimed at avoiding redundancies. All relevant information will be made available to the staff to support this process, with a reasonable timescale agreed to enable proper consideration to take place.

### **Selection Criteria**

The Council will consult with the staff and seek to agree the criteria to be used for staff selection. When all avenues, including voluntary redundancy and early retirement have been exhausted and it is clear that compulsory redundancy is inevitable, the Council will agree the criteria to be used for staff selection.

- Specialism
- Functional area of work
- Other relevant factors

The above selection definition would then be extended and the criteria may include:

- Experience, skills or qualifications (or a combination of these) to ensure the retention of a balanced staff profile to meet the future objectives of the business
- Individual ability linked to a specialist business objective
- Standard work performance supported by objective evidence which would include the performance management system
- Attendance history or disciplinary records

Each criterion will have a range of points addressing an individual's competence and the criteria will be weighted in line with their importance against each other and also against the relevant job. The weighting will be applied consistently. Whatever selection criteria are chosen, they will be objective and consistently applied.

### **Action to Avoid/Minimise Compulsory Redundancy**

All measures would be considered to minimise the need for compulsory redundancy. This would include:

- \* Planning and managing change as far into the future as possible
- \* Minimising external recruitment where staff can be retained or redeployed to fill existing vacancies or vacancies that are expected to arise in the short term.
- \* Reducing or eliminating overtime
- \* The termination of temporary employees or contract staff where this would not impact on the achievement of business objectives
- \* Seeking application for early retirement or voluntary redundancy before declaring compulsory redundancy.

### **Redeployment**

The Council is committed where possible, to redeployment although opportunities are limited in a small organisation.

A surplus employee, who is considered suitable, may be offered a higher or lower paid position. Full details of such opportunities will be given to the employee to enable them to decide whether or not the alternative position is acceptable.

### **Period of Notice**

The period of notice for redundant staff will not be less than 30 days and in accordance with contracts of employment. Where it is not possible to give such notice affected staff will be given pay in lieu of notice.

### **Appeals**

Employees may appeal against their selection for redundancy.

### **Assistance to Staff**

The Council will arrange support for redundant staff to assist them in finding alternative employment. Staff under notice of redundancy will be allowed reasonable time off on full pay to attend interviews or arrange training to enhance their future prospects.

### **Compensation**

Redundancy compensation terms for those members of staff who are made redundant will be in accordance with the statutory redundancy calculator, increased to the actual weeks pay rather than the statutory minimum. No further enhancements will be made.

### **REFERENCES**

When you have been made a formal offer of employment, the Council will take up references from your previous employers. Any offer of employment is conditional upon satisfactory references being obtained.

Should it subsequently come to our notice that you have given inaccurate information, we may reconsider your employment. We will not accept references given to us directly by an employee or potential employee.

You may request to see a copy of a reference from a previous employer, but the Council may refuse to let the employee see the reference if, in doing so, it would disclose information about another individual who can be identified from the information or can be identified as a source of the information. It will be acceptable to let the employee see the reference if the third party has consented to the disclosure or it is otherwise reasonable in the circumstances to disclose the information.

When you leave the Council or apply for another job, you will normally be given a reference on behalf of the Council. This will be accurate and truthful as required by law. You will not be given an "open" reference, it will always be addressed to a particular person. References that are given by an employer, are exempt from the subject access provisions of the Data Protection legislation and therefore it is at the Council's discretion whether or not you are shown a copy of the reference.

## **RETIREMENT**

The Council do not have a default retirement age and employees are welcome to remain with the Council beyond the state retirement age. Any termination of employment by the Council will not be related to age.

However, any employee retains the right to retire earlier if they so wish. The Council will be pleased to advise on any matter relating to retirement and help you make any adjustments. In certain cases, depending on circumstances and length of service, pension may be accessible before state retirement age.

## **SMOKE FREE POLICY**

It is the policy of Tatenhill Parish Council that smoking is not permitted at any of its meetings or on any premises which it occupies.

## **STATUTORY SICK PAY**

Certain employees are entitled to receive pay when they are absent from work due to sickness. This is known as Statutory Sick Pay (SSP) and is paid out and administered by employers on behalf of the State.

There are many requirements and conditions attached to payment of SSP both for the employee and the employer. If employees are to receive their entitlement, the following rules and procedures together with those set out in the procedure for Absence Notification, must be adhered to.

SSP cannot be paid to an employee unless and until the following written evidence is supplied:

- first 7 days of absence - a Self Certification form, absence record form or Doctor's Certificate
- thereafter - Doctor's Certificate.

It is important to remember that no payment can be made for any intervals of sickness absence not covered by a certificate.

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

- once employment has terminated
- where Statutory Maternity Pay is being paid
- where an employee is over 65 years of age or under the age of 16

## **TERMINATION OF EMPLOYMENT**

Should you wish to terminate your employment, you must give the appropriate written notice stating the date you wish to leave in line with the conditions of your Contract of Employment. You will normally be expected to work your period of notice, but this may be waived or reduced at the discretion of the Council.

You must ensure that any property issued to you by the Council is returned.

## **TIME OFF FOR DEPENDANTS**

Employees have the right to reasonable time off without pay during working hours to deal with unexpected incidents involving a dependant. The right is limited to urgent cases of real need and is subject to advising the Council.

## **TRADE UNION MEMBERSHIP**

The Council does not recognise any trade union for collective bargaining purposes but does subscribe to the National Joint Council for local government for national negotiations.

Employees have the right to belong to or take part in the activities of any independent trade union. They also have the right not to be a member of a trade union or a particular trade union. The Council will not discriminate against any person because he/she chooses/chooses not to be a trade union member.

## **TRAINING AND DEVELOPMENT POLICY**

1. We acknowledge the essential need to provide appropriate and systematic training and development for our employees. All employees will be encouraged to maximise their potential to achieve job satisfaction and reach the highest standard of efficiency and competence.
2. The Council will invest in its employees in order to achieve its business objectives and therefore train and develop its staff to be competent in their current work role.

3. It is our policy to provide a programme of induction training for new employees. The basis of this will be on-the-job' training, supervised by the Parish Clerk or Personnel Committee..
4. Further development is normally achieved by experience, with which knowledge and capability is extended. This may be aided by appropriate formal training (external or in-house), in accordance with regularly assessed training needs.
5. It is our policy to ensure that special attention to safety training is provided, both at the induction stage and subsequently.
6. In order to carry out this policy, we will allocate sufficient resources to achieve the objectives set.
7. Employees are entitled to paid leave for sitting approved examinations and revision in accordance with the Green Book.
8. Some training will be a requirement of the post.

## **TRAVEL AND SUBSISTENCE**

### **Travel on Council Business**

#### **Subsistence**

No flat rate payment for subsistence will be. Reasonable meal/entertainment expenses incurred on Council business will be reimbursed on production of receipts.

#### **Hotels**

Where staff are required to stay overnight on Council business the recommended benchmark for all staff is an AA 2 or 3 star hotels. Where staff incur additional reasonable incidental costs whilst staying overnight on Council business these will be reimbursed. Receipts should where possible be obtained. All claims need to be authorised by the Council.

#### **Rail Travel**

All staff will travel 2nd class with the option to reserve a seat.