



PENRYN TOWN COUNCIL

Employee Handbook

WELCOME AND INTRODUCTION

Welcome to Penryn Town Council. Our strength as a Council is due to the skills and abilities of colleagues like you. We look forward to a long and successful working relationship with you and sincerely hope that your time with us is enjoyable and rewarding.

This handbook

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

The Council recognises the 'Green Book' which includes enhancements above the statutory minimum to certain employee benefits. These additional benefits are mainly detailed within your contract of employment, however if detailed within this handbook, they will be clearly identifiable.

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

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1 KEY PRINCIPLES

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

1.1 Council Code of Conduct

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

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

Dishonesty

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

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

Refusal to carry out instructions

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

If you believe that you have been instructed to do something that does not fall within your duties or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see Section 4). However doing so will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

1.2 Health and Safety

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

A detailed health and safety policy/handbook identifying the roles and responsibilities of key staff members for ensuring that the Council meets its commitment to health and safety is available from the clerk. In addition there is information on health and safety displayed throughout our premises.

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

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

1.3 Equality

The Council is proud to be an equal opportunities employer. This means that decisions concerning recruitment, promotion, dismissal or any other aspect of employment will be based on the needs of the business and not any assumptions based on sex, race, age, disability, gender reassignment, sexual orientation, married or civil partnership status, pregnancy or maternity, religion or belief. This is an important commitment which all employees are expected to share.

Employees are encouraged to raise with management any discriminatory behaviour, assumptions or attitudes they encounter at work and are entitled to do so free from any reprisal providing they are acting in good faith.

1.4 Dignity at Work

All employees are entitled to a working environment free from bullying and harassment. The Council takes all allegations of such conduct extremely seriously and will not tolerate harassment or bullying behaviour. Complaints will be dealt with under the Bullying and Harassment Policy set out in Section 5 of this handbook.

All employees are required to behave towards each other with respect. In particular, offensive behaviour which relates to sex, race, age, disability, sexual orientation, religion or belief, pregnancy or gender reassignment will be treated as gross misconduct and will usually lead to dismissal.

1.5 Ethical Conduct

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

Gifts and Hospitality

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

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

No personal gifts of a value in excess of £10 should be accepted from a client/customer, supplier or potential supplier without express permission from the clerk.

Acceptance of hospitality, such as lunch or drinks receptions, should be kept within common sense limits and should always be authorised by your manager. Offers of hospitality must always be authorised by your manager.

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

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

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

1.6 Whistleblowing

The Council encourages employees to raise any concerns that they may have about any wrongdoing at any level within the business. Wrongdoing in this context means any breach of a legal obligation, risk to health and safety, a criminal offence being committed, a miscarriage of justice occurring or likely to occur, damage to the environment, or an attempt to conceal any of the above.

Any initial concern should be raised with the clerk. However, if this is not appropriate then you should contact another member of the management team who will ensure that your concern is properly addressed.

Employees who raise a concern which is in the public interest under this policy are entitled not to be subjected to any detriment as a result, however the employee must reasonably believe that the disclosure they are making is true.

Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or any other employee of the business. Making a deliberately false allegation, however, against the Council, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

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

1.7 Good Faith and Loyalty

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

In practice this means not doing anything that undermines the Council's standing with members of the public and fellow employees. In practice this means not doing anything that undermines the Council's position by acting in competition with it, providing information to competitors or undermining the Council's standing with clients, customers and fellow employees.

1.8 Data Protection

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

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

You will comply with your obligations under our Data Protection Policy and other relevant policies as directed.

1.9 Environmental Statement

In the undertaking of their daily duties, we accept that all staff associated with Council will have an influence on the environment. We will commit to adopting working practices that will help to have a positive effect, assist towards continued environmental improvement, prevent pollution and reduce unavoidable negative influences caused by our working practices.

The Council therefore maintains a policy of 'minimum waste' which is essential to the cost effective and efficient running of all our operations. Every employee has a responsibility to promote this policy by taking extra care when carrying out normal duties to avoid unnecessary or extravagant use of services, materials, lights, heating, water etc.

2 HOW WE DO THINGS

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

2.1 Proof of Identity

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

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

2.2 Dress Code

All employees should dress in a manner appropriate to the work that they do. Key factors include whether or not the employee meets clients or customers and whether the requirements of health and safety require particular clothing. How you dress is largely a matter of common sense. If your manager feels that you are dressing in an inappropriate way they may ask you to dress differently the next time you come into work. A persistent refusal to comply with a reasonable standard set by a manager will amount to misconduct.

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

Employees required to wear Uniform

If you are provided with specific uniform for your role, you will be expected to wear this at all times whilst at work, especially if you may come into contact with the public in the performance of your duties.

You must ensure you look presentable for work and your uniform is maintained in a good condition. If you lose your uniform, or do not look after it, then the Council will be entitled to make a deduction from your remuneration to cover the cost of replacing this. General wear and tear will be taken into account and the Council may exercise its discretion to replace uniform.

Personal Protective Equipment

If you are provided with any Personal Protective Equipment (PPE) you must ensure you wear this at all times, especially in any designated area which may pose additional risk. Failure to do so is likely to result in disciplinary action.

2.3 Timekeeping

Good timekeeping is essential in any team; however we recognise the commitment that staff dedicate to their duties and therefore are happy to show some flexibility in terms of time keeping. This having been said, any employee who is seen to abuse this goodwill, will be spoken to. Persistent abuse of this goodwill will likely result in disciplinary action.

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

If personal or domestic circumstances make it difficult for you to attend work on time then you should discuss this with the clerk. In some cases, the Council may be able to accommodate a reasonable need for flexibility, but this will be subject to the needs of the business and the need to avoid placing an unfair burden on your colleagues (see Section 4).

2.4 Adverse Weather and Traffic Disruption

The Council's primary duty is to provide a safe place of work. If adverse weather means that this cannot be achieved and the workplace needs to close then all employees will be sent home or told not to come in. In these circumstances employees will be paid in full for any working time that they have lost.

If the workplace remains open, it is the responsibility of employees to attend work if they possibly can. While the Council understands that this is not always possible, additional paid leave will not be provided for employees who are unable, for whatever reason, to travel into work.

Where it is clear that you are not going to be able to get to work you must contact the clerk as soon as possible to explain the situation. You must make every effort to talk to your manager directly rather than leave a message with colleagues or send an email or text message.

If you are unable to attend work due to severe weather or other travel difficulties then you will be required to take time from your annual leave allowance to cover any absence or to take unpaid time off by agreement with your manager. There may be circumstances in which employees are able to work at home, but this will be entirely at the discretion of the Council.

Please also see the Council's Adverse Weather and Travel Policy at Section 6 of this handbook.

2.5 Rest Breaks

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

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

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

2.6 Smoking

The Council operates a smoke-free workplace. Smoking (which includes the use of e-cigarettes and personal vaporisers) is therefore strictly prohibited throughout all Council premises, including any Council vehicle.

Smoking is only permitted during designated break times and in the designated outside areas.

2.7 Computer Use - Including the use of email/Internet

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

You should ensure that when leaving your workstation for any lengthy period, that you lock your IT devices or log off if appropriate.

You must not attach any device to Council IT equipment without authorisation from the clerk and you must not open attachments or click on links unless you know you can trust the source. Council portable IT devices must be kept secure and password protected at all times.

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

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

Internet Use

Employees with access to the internet on Council-owned IT devices should use that access responsibly.

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

Employees must not download any software, plugins or extensions on to Council-owned IT devices unless this is first cleared by an appropriate manager. Employees should also refrain from downloading music, video or any other entertainment content on any Council-owned IT device.

Firewalls and anti-virus software may be used to protect the Council's IT and communication systems. These must not be disabled or switched off without express permission from management.

Email

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

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

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

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

Privacy

Monitoring of email usage takes place without notice. You should have no expectation of privacy in respect of personal and business use of email and the internet whilst at work.

Your email remains the property of the Council and therefore you should not use your Council email to send or receive any information that you regard as private. The Council may, in the course of its business, read emails that you have sent or received - although in the absence of evidence of wrongdoing the Council will try to avoid reading personal emails if possible.

2.8 Social Media

An employee's behaviour on any social networking or other internet site must be consistent with the behaviour required of employees generally. Where it is possible for users of a social media site to ascertain who you work for, then you should take particular care not to behave in a way which reflects badly on the Council.

Inappropriate or disparaging comments about the Council, colleagues or clients will be treated as misconduct. Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, the Council will take a particularly serious view of any misconduct that occurs through the use of social media.

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

You should not attempt to access social networking sites, such as Facebook/Twitter or similar on Council IT and communication systems. This includes during break times.

Please also see the Council's Social Media Policy at Section 6 of this handbook.

2.9 Telephones

Reasonable personal use of Council telephones is permitted with prior permission provided calls are kept short and no calls are made to premium rate numbers or abroad.

Your personal mobile telephone must be on 'silent' mode during working hours. Calls and texts on personal mobile phones should wherever possible be restricted to formal rest breaks.

2.10 Alcohol and Drugs

The Council's approach to the consumption of alcohol, drugs and other substances (including new psychoactive substances) that have intoxicating and/or behaviour-altering effects or impair judgement (referred to in this policy as "other substances") is based on the need to ensure a safe and productive working environment. Because of the serious nature of the risks posed by the abuse of alcohol, drugs and other substances in the workplace, any breach of the rules in this area will be treated as gross misconduct which will usually result in dismissal.

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

Dependency

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

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

Drugs

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

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

Medicines and Prescription Drugs

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

Alcohol

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

You must not present yourself for work under the influence of alcohol.

You must not consume any alcohol during working time, lunchtime or during any break unless this has been specifically authorised by your manager.

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

2.11 Driving

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

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

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

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

It is illegal to use your mobile phone whilst driving. This includes texting etc.

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

Any journey carried out on Council business must be scheduled in such a way as to allow adequate rest breaks – usually one break of 15 minutes for two hours of driving. Where possible, driving on Council business should be avoided either late at night or very early in the morning.

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

Council Vehicles

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

Any personal use of a Council vehicle, other than a vehicle provided for your exclusive use as part of your contract is at the sole discretion of the Council and must in any event be kept within reasonable limits. Your manager may at any time instruct you not to use – or to cease using - a Council vehicle for private purposes.

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

2.12 Expenses

All employees are entitled to claim for out of pocket expenses such as travel costs in the course of carrying out their responsibilities and duties. The Town Council has policies in place that govern and manage the way in which reimbursement is made. These support the principles that no employee should profit, or lose money when undertaking work for the Council.

There are clear policies for staff to follow for travel allowance and car travel. All staff are required to comply with the policies and are subject to the same audit requirements of providing receipts, having their expenditure authorised/approved and retaining records of purpose and mileage undertaken.

Travelling allowance

For all employees, the National Joint Council mileage rates will apply. Travelling expenses necessarily incurred by employees in the performance of their official duties will only be reimbursed after authorisation by the Town Clerk.

When undertaking Council business employees are required to adhere to traffic regulations. Any parking penalties or other liabilities that arise from the way the vehicle is used, particularly breaches of the Road Traffic Acts, the Traffic Management Act and Motor Vehicles (Construction and Use) Regulations are the employee's responsibility and must not be claimed as an expense to be reimbursed. This includes excess charges incurred (e.g. compound charges) by not buying such items as congestion charge tickets, car parking tickets, etc.

Employees will use the most economic form of travel in terms of cost and time, taking into account the different modes of travel, traffic and fares available.

2.13 Council Property

You are not permitted to use Council property for any purpose other than its intended use. Council property must not be removed from the premises unless with prior approval.

Damage to Council Property

Any damage to or loss of Council property must be immediately reported to your manager.

If, following an investigation, it is found that as a result of your carelessness, negligence or failure to comply with Council procedures, or by wilful act, the Council suffers loss or damage of cash, stock, fixtures and fittings or property (including vehicles) , this will be construed as serious breach of the rules, which could result in your summary dismissal on grounds of gross misconduct.

You may also be liable to pay the full, or part, cost of making good the Council's loss in respect of cash, stock, fixtures and fittings, or property (including vehicles).

In the event that the Council makes a claim to its insurers, for repair or replacement, or other losses incurred, it reserves the right to require you to pay any insurance excess that may accrue.

It is an express term of your contract of employment that if Council property is damaged, lost or stolen through your negligence or fault, then the Council may deduct the cost of repair or replacement from your salary.

Before any decision is made to deduct, the matter will be fully investigated and you will be given an opportunity to state your case and appeal any decision.

Return of Council Property

Upon termination of employment for whatever reason, you must return to the Council all property belonging to the Council including Council vehicle, computer, equipment, keys, records and documents within your possession or control belonging or relating to the affairs and business of the Council and its customers.

The Council may deduct the cost of replacement of any items not returned, or repair of items that are returned damaged, on termination of your employment from your salary or any monies owed to you.

Employees' Property

The Council does not accept liability for any loss of, or damage to, property that you bring onto the premises. You are requested not to bring personal items of value onto the premises, and in particular, not to leave any items overnight.

Any loss or theft of items must be reported to your manager.

Lost Property

If you find any items of lost property they should be handed to your immediate Manager, who will retain the items for three weeks. The property will either be handed over to the police or disposed of accordingly.

2.14 General

Statements to the Media

Any statements to reporters from newspapers, radio, television etc. in relation to our business will be given only by Management.

Please also see the Council's press & Media Policy at Section 6 of this handbook.

Parking

If parking is provided by the Council, all cars parked in such parking areas are parked at the owner's risk and must be parked so as not to obstruct access. It is your responsibility to ensure that your vehicle is parked in a safe area.

3 ABSENCE

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

3.1 Unauthorised Absence

Employees who deliberately fail to attend work without proper excuse or in breach of management instructions will be committing gross misconduct which could result in dismissal without notice or payment in lieu.

3.2 Medical Appointments

In general, appointments to see a GP, dentist or optician should be made for outside working hours. Paid leave will not normally be granted for non-emergency visits.

The Council appreciates that it is not always possible to avoid appointments during the working day and will judge each case individually in deciding whether any paid time off should be granted. In most cases, employees will be required either to use part of their annual holiday entitlement or to make up any lost time.

Employees who have a medical condition which will require regular appointments during the working day should discuss their situation with their manager so that appropriate arrangements can be made.

You may be required to provide evidence of any appointment for which time off is needed.

Necessary paid time off will be granted for cancer screening.

3.3 Ante-natal Care/Adoption Appointments

Pregnancy Related Appointments

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

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

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

Adoption Appointments

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.

If you are the partner of the primary adopter, you may take unpaid time off on up to two occasions to attend an adoption appointment.

3.4 Sickness Absence

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

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

Infectious Disease

An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay whilst absent from work in consequence of this. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.

If an employee contracts an industrial disease, or is involved in an accident or assault arising out of, or in the normal course of their employment, this will be considered entirely separately from normal sickness absence and therefore will not be off set against an employee's sick pay entitlement under the sick pay scheme.

Reporting Sickness Absence

If you are too ill to come into work you should personally inform the town clerk of this fact as soon as possible and in any event by no later than 9.15am on the first working day of your absence. When you phone in sick you must make every effort to speak to the town clerk directly. Do not simply leave a message with a colleague or send an email or text. If you need to leave a message for the town clerk then they may contact you during the day to discuss your absence with you.

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

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reason of hangovers will be regarded as a disciplinary offence which may result in dismissal without notice or payment in lieu. You should also be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

The Council requires any absence of more than 4 days to be certified by a 'self-certification form' (Form SC2). Any absence of more than a week must be certified by a 'Fit Note' (Forms Med 3 or Med 10). Uncertified absence may be treated as misconduct and will not be paid.

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

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

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

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

Employees will be required to attend a return to work meeting after any period of sickness absence. The purpose of the meeting is to check on the employee's general health and wellbeing, to catch up with regards to anything that the employee may have missed, and to discuss whether there are any concerns in respect of absence levels.

Annual Leave and Sickness Absence

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

Phased Return to Work

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

Alternative Work

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

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

Disability and Reasonable Adjustments

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

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

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

Please also see the Council's Absence Policy at Section 6 of this handbook.

3.5 Jury Service/Other Time Off

There are a number of circumstances in which employees have a right to time off from work either with or without pay. These include jury service and certain public duties such as serving as a local councillor, magistrate or school governor. Where a need for such time off arises you should discuss the matter with the clerk who will consider what arrangements should be put in place.

While the Council will do its best to accommodate time off in these circumstances, the requirements of an employee's role may mean that the amount of time off granted may be limited.

Where serving on a jury would lead to a level of absence that would be detrimental to the business, the Council may require you to seek a deferment.

Employees undertaking jury service or serving on public bodies, or undertaking public duties, will be entitled to paid time off. Where an allowance is available for loss of earnings, the employee should claim and pay the allowance to the employing authority.

3.6 Compassionate/Bereavement Leave

In the event an employee suffers a bereavement in their family, the Council will exercise its discretion to allow reasonable time off to attend a funeral. What is reasonable will be determined on a case by case basis and the type of leave, whether paid or unpaid, will depend on the circumstances and the relationship the employee had with the individual.

Up to three days' compassionate leave with pay can be granted in order to help an employee to cope with the death or serious illness of a member of their immediate family.

This includes:

- Husband, wife or partner
- Parent

- Child, including any adopted or step child
- Sibling
- Grandparent
- Grandchild

A further day with pay may be granted for attending the funeral of an immediate family member.

In addition, there may be occasions where it may be necessary for an employee to take compassionate leave. Again, this will be considered on a case by case basis and dependant on circumstances, may be paid or unpaid.

An employee will not be 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.

Please also see the Council's Compassionate Leave Policy at Section 6 of this handbook.

3.7 Emergency Time Off for Dependants

The Council recognises that situations arise where you need to take time off work to deal with an emergency involving someone who depends on you. Your husband, wife or partner, child or parent, or someone living with you as part of your family can all be considered as depending on you. Others who rely solely on you for help in an emergency may also qualify. For further detail as to who counts as depending on you and guidance on individual circumstances, please speak to your Manager.

Provided the reasons for such a request are genuine and you inform the Council as soon as possible that you need this time off, you will be allowed reasonable unpaid time off work to deal with such emergencies.

The right to time off only covers emergencies. If you know in advance that you are going to need time off, you will not qualify for this type of leave and you therefore should arrange this with the Council by taking another form of leave, such as annual leave, parental leave etc.

If an emergency occurs and it is not possible for you to inform your manager in advance of any absence you should contact your manager as soon as possible to inform them of the situation. Appropriate arrangements may then be put in place.

If you suffer some other personal emergency you should talk to the clerk who will discuss what arrangements can be made to grant you compassionate leave. These arrangements will always be at the discretion of the Council and will depend on the circumstances of the case and the impact that any absence on your part may have on the business. However, the Council will be sympathetic to your need for time off (which may be paid or unpaid at our discretion) to deal with the situation and make any arrangements that may be necessary.

3.8 Annual Leave

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

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

Further, no more than two consecutive weeks' holiday can be taken at one time. In certain circumstances, and at the discretion of the business, a longer period may be permitted. If this is required, you should discuss this with the clerk, to establish whether this can be accommodated.

What notice do I need to give?

All requests for leave should be made wherever possible at least 1 month in advance.

The means of requesting leave may change from time to time and you should comply with whatever procedure is in place at the time of the request.

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

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

Our Holiday Year

All employees are encouraged to take their full holiday entitlement during the holiday year which runs from 01 April to 31 March. However it is your responsibility to schedule your holiday so that it can be taken at an appropriate time.

Employees will usually be permitted to carry over up to 5 days holiday entitlement into the following holiday year with prior permission.

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

The Council may insist on annual leave being taken at particular times depending on the needs of the business and these are set out in your contract of employment. We will give reasonable notice of any such requirement (the length of the notice given will be at least twice the duration of the leave the Council requires the employee to take).

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

3.9 Reserve Forces

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

3.10 Time Off In Lieu

The success of this Council is founded on the skills, energies and commitment of its employees. Many, on occasions, are required to work outside what are considered 'core' hours of work or beyond their contracted hours in order to meet the needs of the service. Without this goodwill and adaptability it would be impossible to provide a responsive service or cope with work demands.

However, the Town Council also recognises its duty to protect the health and safety of its staff by ensuring that they do not work too many hours and that they are recompensed by taking time off in lieu (TOIL) for any extra time that they do have to work. This policy seeks to set out both a definition of the TOIL system and some guidelines for its implementation.

Definition

Lieu time is time off which you are allowed to take in lieu of (i.e. instead of) overtime pay for hours worked beyond the working day (i.e. evenings and weekends). Under no circumstances can overtime be paid other than in time off, and all references to 'overtime' in this document mean unpaid overtime.

TOIL allows staff to respond flexibly to unexpected service or personal needs as well as respond to the occasional need to vary the timings of service provision, such as irregular weekend events or seminars.

For example, if a meeting occurs during lunch time, or there is a need to work after or before normal working hours to complete an urgent report or to attend a meeting, this time is logged and taken back within an agreed timeframe. However, all staff must have at least a 20 minute break if they work for six hours or more.

In addition, if a staff member has an unexpected commitment in their personal life, time off can be agreed and made up at a later date.

General Principles

TOIL is not a tool to be used to accrue time to enable extra days leave to be taken. Most duties should be carried out as part of normal contractual working hours.

TOIL is an exceptional rather than a routine occurrence. It is to ensure that when staff attend meetings, conferences or events that extend beyond normal working hours, this time can be taken back. It also allows for staff to respond to crises in their personal lives.

TOIL should not result in changes to normal working arrangements, for example, every Friday afternoon becoming a 'TOIL' afternoon, or working through lunch times and leaving work early each day.

The scheme must be utilised in the best interests of effective service provision. This requires cooperation between staff to ensure adequate cover is provided as necessary.

Some staff may be excluded by the nature of their workload, or variations agreed for operational reasons.

The success of the scheme is based on trust. Any member of staff who is found to have abused the TOIL scheme may have it withdrawn and be subject to disciplinary action up to and including dismissal.

Rules on Accruing and Taking TOIL

Staff must agree with managers any time to be worked outside of normal working hours in advance. If this is not practical for any reason, staff must contact the Town Clerk as soon as possible afterwards.

Staff must obtain the Town Clerk's approval before taking any TOIL, in the same way that annual leave is approved.

Employees will be responsible for completing their own TOIL recording sheet. This will be kept by the employee, signed and passed to the Town Clerk for agreement at each credit/debit. The recording sheet should be readily available for the Town Clerk to see at any time.

Staff will not accrue more than twenty hours TOIL at any one time, except in exceptional circumstances and with prior consent of the Town Clerk. Lieu time accrued above this limit will be considered lost.

Existing procedures will remain for all other authorised absences, such as annual leave, sickness, or compassionate leave.

On termination of employment, all TOIL must be at a zero balance. Employees will not be paid in lieu of accrued TOIL which has not been taken by the final date of employment. Any such accrued TOIL will be lost.

Time off must be equal to time actually worked: i.e. there is no provision for time-and-a-half, double time, etc.

4 FLEXIBLE WORKING AND FAMILY RELATED LEAVE

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

4.1 Flexible Working

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

Requests for a change in working arrangements can be made by any employee with at least 26 weeks' continuous service with the Council at the time the request is made. Further, only one request per employee may be made in any 12 month period. The request should:

1. be made in writing and state this is a flexible working request;
2. set out the change requested; and
3. describe the impact that the change will have on the operation of the business and how any difficulties caused by the change may be addressed.

When a request is received, the employee will be invited to a meeting to discuss the potential change.

The meeting will normally be conducted by the employee's line manager.

The employee will be entitled to be accompanied by a fellow employee to assist in making any representations that may be appropriate.

The application may be refused on one or more of several grounds, these being that the proposed changes will result in:

- a burden of additional cost;
- a detrimental effect on ability to meet customer demand;
- an inability to re-organise work among existing staff;
- an inability to recruit additional staff;
- a detrimental effect on quality;
- a detrimental effect on performance;
- an insufficiency of work during the periods you propose to work;
- a planned structural change; and
- any other ground allowed by regulations.

In refusing any request the Council will explain the reasons for the refusal in writing and may make an offer of an alternative arrangement. Discussions may then take place to try to agree a way forward. If no agreement is reached then the employee's terms and conditions will remain unchanged, subject to the right of the employee to appeal the decision.

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

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

This policy will not prevent managers agreeing to ad hoc arrangements from time to time. However, any such arrangement will not amount to a variation in your terms and conditions of employment unless specifically agreed to the contrary and confirmed in writing. The Council may terminate any such ad hoc agreement at any time and require you to revert to your agreed working arrangements.

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

4.2 Maternity Leave

All employees who give birth are entitled to take maternity leave which lasts for a maximum of 52 weeks. Employees with at least six months' service immediately before the 15th week prior to the expected week of childbirth will also be entitled to be paid Statutory Maternity pay (SMP) for up to 39 weeks of their absence. Because this is a statutory payment there are a number of procedural requirements that must be met in order to make sure that an employee qualifies. The most important requirements are set out below, but if you have any doubts about the rules that apply you should speak to a member of the management team who will make sure that you have all the appropriate information.

Notification

To qualify for maternity leave you must provide the Council, no later than the end of the 15th week before your EWC (when you are approximately 6 months' pregnant) with the following information:

1. that you are pregnant;
2. the date of the week your baby is due (your expected week of childbirth or EWC);
3. when you intend your maternity leave to start (this date can be changed later – see below); and
4. you must also provide the Council with the original Maternity Certificate (MAT B1) issued by your doctor.

In some circumstances the Council may be able to accept other medical evidence of when your baby is due, so if there is any difficulty in providing the MATB1 certificate you should discuss this with your manager.

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

Start of Maternity Leave

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

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

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

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

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

Duration of Maternity Leave

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

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

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

Dismissal or Resignation

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

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

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

Enhanced Maternity Pay

The Council offers enhanced maternity pay in line with the provisions of the Green book. An employee who meets the other qualifying criteria listed in this policy, and who have more than one year's continuous service at the point of the 11th week before the expected week of childbirth will be entitled to enhanced Maternity pay as follows:

- 6 weeks' leave payable at 90% of normal pay;
- 12 weeks' leave payable at 50% of normal pay, plus Statutory Maternity Pay at the relevant rate; (capped at 100% of normal pay) and
- 21 weeks' leave payable at the relevant rate of SMP

NB: Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

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

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

SMP is paid for a maximum total of 39 weeks. The first 6 weeks are paid at 90 per cent of your normal weekly earnings (this is based on an average of your total earnings in the eight weeks immediately preceding the 14th week before your expected week of childbirth) and the remaining 33 weeks are paid at a flat rate specified in legislation (this changes each year).

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

Returning to Work Early

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

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

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

Returning to Work Late

Following your maternity leave, you are required to return to work on the date notified to you as your expected date of return. If you are unwell on that date then you should follow the sickness absence procedure set out in Section 5.2 of this handbook.

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

Maternity Suspension (Health and Safety Reasons)

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

Maternity Support Leave

Paid Maternity support leave of 5 days will also be granted to the child's father or the partner or the nominated carer of the expectant mother at or around the time of the birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.

4.3 Adoption Leave

Employees who are matched with a child for adoption may be entitled to take up to 52 weeks' adoption leave.

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

Where two parents are adopting a child, only one of them may take adoption leave, and the other (regardless of gender) is entitled to take paternity leave. If both adoptive parents qualify, they may each take shared parental leave.

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

Notification

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

Your notification should set out:

- the date when the child is expected to be placed with you; and
- the date when you want to start your adoption leave.

As with maternity leave, you can change your mind about the start date provided the Council is given at least 28 days – or as much notice as is reasonably practicable.

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

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

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

Adoption Pay

The arrangements for statutory adoption pay are similar to those for SMP (set out above).

Enhanced Adoption Pay

The Council offers enhanced Adoption pay in line with the provisions of the Green book. An employee who meets the other qualifying criteria listed in this policy, and who have more than one year's continuous service at the point of the 11th week before the expected week of childbirth will be entitled to enhanced Adoption pay as follows:

- 6 weeks' leave payable at 90% of normal weekly earnings;
- 12 weeks' leave payable at 50% of normal weekly earnings, plus Statutory Adoption Pay (SAP) at the relevant rate (capped at 100% of normal pay); and
- 21 weeks' leave payable at the relevant rate of SAP

NB: Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

Returning to Work Following Adoption Leave

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

4.4 Paternity Leave

Employees with 26 weeks' continuous service as at the 15th week before the expected week of childbirth will be entitled to take paternity leave if they expect to have parental responsibility for a child and they are either the mother's partner or one of the adoptive parents. The purpose of the leave must be either to care for the child or to provide support for the child's mother or adoptive parent.

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

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

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

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

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

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

4.5 Parental Leave

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

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

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

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

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

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

4.6 Shared Parental Leave

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

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

Generally, parents will qualify for shared parental leave provided that both are working and that each has at least 26 weeks' service with their respective employers. To exercise the right, both parents must inform their employer that they intend to take shared parental leave – usually at the same time as the employer is notified that an employee is pregnant or plans to adopt. They must also give an indication of the pattern of leave that they propose to take.

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

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

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

4.7 Keeping in Touch Days

Employees during a period of maternity, adoption or shared parental leave are entitled to 10 keeping in touch days (KIT days). These allow the employee to attend work to catch up on the latest developments, undergo training or some other development activity, or to take part in important meetings without losing their right to subsequent pay entitlements. Employees on shared parental leave are entitled to a further 20 KIT days.

These 'keeping in touch days' are entirely voluntary and employees will not be required to take part, nor is the Council under any obligation to arrange for keeping in touch days.

Any payment for attending work on such days will be agreed between the Council and the employee at the time the keeping in touch day is arranged.

There is no legal requirement to receive pay for these days.

4.8 During Maternity/Adoption or Shared Parental Leave

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

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

5 HOW WE RESOLVE ISSUES

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

5.1 Performance Improvement Procedure

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

Where an employee's poor performance is believed to be the result of deliberate neglect, or where serious errors have been made to the detriment of the Council then it may be more appropriate to use the disciplinary procedure. Which procedure to use shall be at the discretion of the Council.

The Council also reserves the right not to follow this procedure in full for employees who are within their first two years of employment with the Council.

The Right to be Accompanied

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

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

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

Stage One

The employee's manager will inform them of the nature of the problem and confirm this in writing. The employee will be invited to a meeting to discuss the issues raised by the manager's concerns. The meeting will be conducted by the employee's line manager and will consider any representations the employee may make about their performance, whether it needs to be improved, and if so what steps can be taken to help the employee reach the appropriate level.

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

Performance Improvement Plan

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

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

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

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

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

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

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

Review

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

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

Stage Two

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

The hearing will be conducted by a member of the senior management team.

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

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

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

Stage Three

If an employee has been issued with a warning under Stage Two which remains current, and the appropriate manager believes that the employee's performance is still not acceptable then the matter may be referred to a further performance management hearing.

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

The hearing will be conducted by an appropriate manager.

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

The manager conducting the meeting may take such action as is judged appropriate up to and including a decision to dismiss the employee.

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

Appeals

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

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

Redeployment

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

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

5.2 Sickness Absence Procedure

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

Short-term Absence

An employee who the Council considers to have an excessive sickness absence record will be spoken to informally and usually have specific attendance targets set and be advised if these are breached, they will be invited to a meeting to discuss their attendance. The meeting will usually be conducted by the employee's line manager and the employee will have a right to be accompanied by a fellow employee or a trade union official on the same basis as set out in the performance management procedure.

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

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

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

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

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

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

Long-term Sickness Absence

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

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

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

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

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

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

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

Bullying and Harassment Procedure

Bullying or harassment in any form is completely unacceptable. Usually what constitutes as capable of amounting to bullying or harassment is a matter of common sense and the Council expects employees to consider how their words and actions may be seen by others and avoid behaving in such a way as to cause offence or create an unpleasant working environment.

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

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

Making a Complaint

Employees who feel that they are being bullied or harassed in the workplace or that such behaviour is taking place should raise their concerns with the town clerk. Every attempt will be made to treat allegations in confidence. However if the Council decides that formal disciplinary action needs to be taken then it may be necessary to disclose enough information to the accused employee to enable them to put their side of the story.

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

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

5.3 Disciplinary Procedure

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

The Council reserves the right not to follow this procedure in full for employees who are within their first two years of employment with the Council.

Definition of Misconduct

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

Definition of Gross Misconduct

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

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

- Theft;
- Deliberate acts of discrimination or harassment;
- Refusal to carry out reasonable instructions;
- Violent or intimidating behaviour;
- Wilful damage to property;
- Reckless behaviour posing a risk to health and safety;
- Any act or omission constituting serious or gross negligence/or dereliction of duty;
- Sleeping on duty;

- Any illegal act during working time or on Council premises; and
- Any act described as gross misconduct elsewhere in this handbook.

Informal Action

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

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

Investigation

If it is alleged that you have committed misconduct, an appropriate investigation will be carried out aimed at gathering all of the relevant evidence. You may be interviewed as part of this investigation and will have the opportunity to point the investigator towards any evidence that you feel is relevant. The right to be accompanied (see below) does not apply to any investigatory interview.

Suspension

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

Hearing

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

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

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

The purpose of the hearing will be to consider the evidence gathered during the investigation and to consider any representations made by you or on your behalf. The hearing will be conducted by the town clerk.

The Right to be Accompanied

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

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

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

Evidence

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

Disciplinary Action

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

A warning will stay active for a period of 1 year, after which it will not be taken into account in any future disciplinary action.

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

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

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

Dismissal

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

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

Appeal

An employee may appeal against the outcome of a disciplinary hearing by doing so in writing within one week of being notified of the outcome to the Town Mayor and the Chairman of the Staffing Committee.

An appeal hearing will be convened and conducted by the Council's Staffing Committee.

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

Employee Absence

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

Disciplinary action against the town clerk

Where disciplinary proceedings are instigated against the Town Clerk, verbal warnings and written warnings will be given by the Chairman of the Staffing Committee. Any investigations and any meetings will be carried out by the Council's Staffing Committee. Any disciplinary appeal meeting will be conducted by three members of the Council who do not sit on the Staffing Committee.

5.4 Grievance Procedure

The Council aims to be responsive to concerns raised by employees and if you are unhappy with something affecting you at work you are encouraged to raise this with the town clerk or in the case of the town clerk this should be addressed to [NAME] on an informal basis. The following procedure is designed to be used when these informal attempts to resolve any dispute have not been successful.

Any written complaint or grievance raised which alleges that a member or co-opted member of the authority has failed to comply with the authority's Code of Conduct will be dealt with under the Code of Conduct Procedure.

Raising a Grievance

If you feel that the matter needs to be raised formally you should raise a grievance by making a written complaint, stating that it is being made under this procedure. You should give as much information about your grievance, including any relevant dates and times, as you can, so as to allow for any investigation into your concerns to take place.

A grievance will normally be dealt with by the town clerk and should be addressed to them directly. Where the grievance is directly concerned with the town clerk's behaviour, however, you should submit your grievance to the Chairman of the Council's Staffing Committee.

Where a grievance is raised by the Town Clerk all investigations and any grievance meeting will be conducted by the Staffing Committee. Any grievance appeal meeting will be conducted by three members of the Council who do not sit on the Staffing Committee.

Grievance Hearing

A grievance hearing will then be arranged so that you can explain the issue and suggest how it can be resolved. You will have the right to be accompanied by a fellow employee or trade union official as described in Section 5.1, above. The town clerk conducting the hearing will consider what you have said and may either deal with the matter immediately or decide to carry out further investigations. In that case the hearing will be adjourned until the investigation has been completed.

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

Allegations of Misconduct

Where an employee is making allegations of misconduct on the part of other employees then the Council may need to carry out an investigation into the allegations and pursue the matter through the disciplinary procedure. Where this happens, the grievance will be held over until the disciplinary process has been concluded.

Relationship with Other Procedures

Where your grievance relates to the conduct of other procedures such as the disciplinary or performance management procedures then the Council may choose to either delay the consideration of the grievance until that procedure has been completed or to deal with the grievance in the course of that procedure or by way of appeal if that appears to be a fairer or more straightforward way of dealing with the issue.

Appeals

If you are dissatisfied with the outcome of a grievance then you may appeal. You should submit your appeal in writing within one week of being informed of the outcome of your grievance. Your appeal should be directed to the Town Mayor and the Chairman of the Staffing Committee. An appeal hearing will then be convened and conducted by a the Council's Staffing Committee. You will have the right to be accompanied at the appeal by a fellow employee or trade union official as described in Section 5.1. The outcome of any appeal will be final.

6 **POLICIES**

6.1 Absence Policy

Policy statement

Penryn Town Council is committed to improving the health, wellbeing and attendance of all employees. We value the contribution our employees make to our success. So, when any employee is unable to be at work for any reason, we miss that contribution. This absence policy explains:

- what we expect from the Town Clerk and employees when handling absence
- how we will work to reduce levels of absence.

Key principles

Penryn Town Council's absence policy is based on the following principles:

As a responsible employer we undertake to provide payments to employees who are unable to attend work due to sickness.

Regular, punctual attendance is an implied term of every employee's contract of employment – we ask each employee to take responsibility for achieving and maintaining good attendance.

We will support employees who have genuine grounds for absence for whatever reason. This support includes:

- a. 'special leave' for necessary absences not caused by sickness;
- b. a flexible approach to the taking of annual leave; and
- c. rehabilitation programmes in cases of long-term sickness absence.

We will consider any advice given by the employee's GP on the 'Statement of Fitness for Work'. If the GP advises that an employee 'may be fit for work' we will discuss with the employee how we can help them get back to work – for example, on flexible hours, or altered duties.

The Council's disciplinary procedures will be used if an explanation for absence is not forthcoming or is not thought to be satisfactory.

We respect the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with all data protection legislation and the Access to Medical Records Act 1988.

Notification of absence

If an employee is going to be absent from work they should speak to the Town Clerk or in their absence, a work colleague, by 9.30 a.m. They should also:

- give a clear indication of the nature of the illness; and
- a likely return date.

The Town Clerk will check with employees if there is any information they need about their current work. If the employee does not contact the Town Clerk by the required time the Town Clerk will attempt to contact the employee at home. An employee may not always feel able to discuss their medical problems with the Town Clerk. The Town Clerk will be sensitive to individual concerns and make alternative arrangements, where appropriate. For example, an employee may prefer to discuss health problems with a person of the same sex.

Evidence of incapacity

Employees can use the Council's self-certification arrangements for the first seven days absence. Thereafter a 'Statement of Fitness for Work' is required to cover every subsequent day.

If absence is likely to be protracted, i.e. more than four weeks continuously, there is a shared responsibility for the Town Clerk and the employee to maintain contact at agreed intervals.

'May be fit for some work'

If the GP advises on the Statement of Fitness for Work that an employee 'may be fit for work' the Town Clerk will discuss with the employee ways of helping them get back to work. This might mean talking about a phased return to work or amended duties.

If it is not possible to provide the support an employee needs to return to work – for example, by making the necessary workplace adjustments – or an employee feels unable to return, then the Statement will be used in the same way as if the GP advised that the employee was 'not fit for work'.

Return to work discussions

The Town Clerk will discuss absences with employees when they return to work to establish:

- the reason for, and cause of absence;
- anything the Town Clerk or the Town Council can do to help; and
- that the employee is fit to return to work.

If an employee's GP has advised that they 'may be fit for work', the return to work discussion can also be used to agree in detail how their return to work might work best in practice.

A more formal review will be triggered by:

- frequent short-term absences; or
- long-term absence.

This review will look at any further action required to improve the employee's attendance and wellbeing. These trigger points are set by the Town Clerk in consultation with the Town Mayor.

Absence due to disability/maternity

Absences relating to the disability of an employee or to pregnancy will be kept separate from sickness absence records.

Town Clerk

All the above policies, where relating to the Town Clerk, for 'Town Clerk' read 'Town Mayor' and for 'Town Mayor' read Chairman of the Staffing Committee.

6.2 Compassionate Leave Policy

Introduction

An employee may request compassionate leave in the event of an unplanned life event that requires the employee's absence from work

Scope

Events that may warrant a request for compassionate leave include (but are not limited to)

- Death of a family member
- Funeral/cremation or burial of a family member
- Breakdown of employee's personal or domestic arrangements (e.g. separation, divorce etc.)
- Fire/Flood/Burglary at employee's home
- Road traffic collisions or other distressing incidents involving the employee

This policy enables employees to request a reasonable period of time off work in such circumstances.

Requests for time off because of the illness of a dependant or breakdown of the care arrangements should normally be made under 'Time off for Dependants'

Granting of Compassionate Leave and Pay

All requests for compassionate leave will be considered, there is no right to be paid for compassionate leave, however up to three days' compassionate leave with pay can be granted in order to help an employee to cope with the death or serious illness of a member of their immediate family.

This includes:

- Husband, wife or partner
- Parent
- Child, including any adopted or step child
- Sibling
- Grandparent
- Grandchild

A further day with pay may be granted for attending the funeral of an immediate family member.

In exceptional circumstances, the Town Clerk in conjunction with the Chairman of the Staffing Committee will consider granting additional compassionate leave with or without pay.

6.3 Press and Media Policy

Introduction

The purpose of this policy is to define the roles and responsibilities within the Town Council for working with the media and the day-to-day relationship between the Council and the media.

It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to deal with issues that may arise when dealing with the media.

Keys aims

The Council is accountable to the local community for its actions and this can only be achieved through effective two-way communications. The media, including press, radio, television and the internet, are crucially important in conveying information to the community so the Council must maintain positive, constructive media relations and work with them to increase public awareness of the services and facilities provided by the Council and to explain the reasons for particular policies and priorities.

It is important that the press has access to the Town Clerk, Councillors and to background information to assist them in giving accurate information to the public. To balance this, the Council will defend itself from any unfounded criticism and will ensure that the public are properly informed of all the relevant facts using other channels of communication if necessary.

The legal framework

The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. The Council must also have regard to the Government's Code of Recommended Practice on Local Authority Publicity.

Contact with the media

The Clerk and Councillors should always have due regard for the long-term reputation of the Council in all their dealings with the media.

Confidential documents, exempt minutes, reports, papers and private correspondence should not be provided to the media. If such leaks do occur, an investigation will take place and appropriate action taken.

When the media wishes to discuss an issue that is, or is likely to be, subject to legal proceedings then legal advice should be taken before any response is made.

There are a number of personal privacy issues for the Clerk and Councillors that must be handled carefully and sensitively. These include the release of personal information, such as home address and telephone number (although Councillor contact details are in the public domain); disciplinary procedures and long-term sickness absences that are affecting

service provision. In all these and similar situations, advice must be taken from the Clerk before any response is made to the media.

When responding to approaches from the media, the Clerk, Chairman or the Chairman of Committees are authorised to make contact with the media.

Statements made by the Chairman or the Chairman of Committees and the Clerk should reflect the Council's opinion.

Other Councillors can talk to the media but must ensure that it is clear that the opinions given are their own and not necessarily those of the Council as a corporate body.

There are occasions when it is appropriate for the Council to submit a letter, for example, to explain important policies or to correct factual errors in letters submitted by other correspondents. Such letters should be kept brief and balanced in tone and correspondence should not be drawn out over long periods. All correspondence must come from the Clerk.

Attendance of media at council meetings

The Local Government Act 1972 requires that agendas, reports and minutes are sent to the media on request.

The media are encouraged to attend Council meetings and seating and workspace will be made available.

Any filming or taping of Council proceedings by the media must be with prior notice to the Clerk and Chairman of the meeting (see Standing Order 3(l)).

Press releases

The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council's position on a particular issue. It is the responsibility of the Clerk and Councillors to look for opportunities where the issuing of a press release may be beneficial.

The Clerk or any Councillor may draft a press release, however, they must all be issued by the Clerk in order to ensure that the principles outlined in the legal framework are adhered to, that there is consistency of style across the Council and that the use of the press release can be monitored.

6.4 Safeguarding Policy

Scope

This policy is the responsibility of all Councillors and staff connected to Penryn Town Council.

Children and young people are defined as those aged under 18.

A vulnerable adult is someone aged 18 or over:

- who is, or may be, in need of community services due to age, illness or a mental or physical disability; or
- who is, or may be, unable to take care of himself/herself, or unable to protect himself/herself against significant harm or exploitation.

For example, a person who:

- is frail due to age;
- has drug or alcohol problems;
- has a learning disability; or
- has mental or physical ill health or disability.

Vulnerability is related to how able an adult is to make and exercise their own informed choice, free from duress or undue influence, and to protect themselves from abuse, neglect and exploitation. There is no hard and fast rule: an adult should be assumed to be covered by this policy unless there is information to indicate that they are not.

Reason for the policy

Everyone, including children, young people and vulnerable adults, has the right not to be abused. We recognise the need to ensure their welfare when they come into contact with the services we provide.

Types of abuse

Physical: causing physical harm, including hitting, shaking, biting, grabbing, withholding food or drink, force-feeding, wrongly administering medicine, unnecessary restraint, failing to provide physical care and aids to living.

Sexual: including sexual assault, rape, inappropriate touching/molesting, forcing or enticing someone into sexual acts they don't understand or feel powerless to refuse; grooming a child or young person in preparation for abuse.

Emotional or psychological: persistent emotional ill treatment or rejection, including verbal abuse, shouting, swearing, threatening abandonment or harm, isolating, taking away privacy or other rights, bullying/intimidation, blaming, belittling, silencing, controlling or humiliating.

Financial or material: illegal or improper use of an adult's property, money or other assets without their informed consent or where the consent is obtained by fraud. It can include withholding money or possessions, theft of money or property, fraud, intentionally mismanaging finances, borrowing money and not repaying.

Neglect: persistent or severe failure to meet a person's basic physical and psychological needs. It will result in serious impairment of their health or development, and can include withholding shelter, food, drink, heating and clothing, failing to provide access to health, social and educational services, ignoring physical care needs, exposing a person to unacceptable risk, failing to ensure adequate supervision or unresponsiveness to the basic emotional needs of a child.

Discriminatory abuse: including slurs, harassment and maltreatment due to a protected characteristic (Equality Act 2010).

Institutional abuse: including the use of systems and routines which neglect a person receiving formal care e.g. in a children's home.

Signs of abuse

There are many possible signs of abuse, none being conclusive on their own. Examples include:

- Unexplained injury / weight loss / cuts and bruises / dirtiness
- Changes in behaviour
- Depression / low self-esteem
- Lack of self-care / dehydration / abnormal eating pattern
- Harm to self
- Obsessive behaviour
- Bills not being paid
- An overly critical or disrespectful carer who may bully or undermine
- Isolation from usual network of friends, family or community

Safeguarding

Safeguarding children from abuse and promoting their welfare means:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring children are growing up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

Safeguarding vulnerable adults means protecting them from maltreatment, and preventing injury or significant harm. Abuse violates an adult's human and civil rights. It can vary from treating someone with disrespect in a way which significantly affects the person's quality of life, to causing actual physical suffering.

A safeguarding concern arises if abuse is suspected or disclosed. Abuse can happen anywhere – at home, in a residential or nursing home, a hospital, in the workplace, at a day centre or educational establishment or in the street.

Reporting safeguarding concerns

We all have a responsibility to report any safeguarding concerns over the welfare of children, young people or vulnerable adults. This extends to the identification of signs of abuse; poor practice by staff, Councillors and others acting for or on behalf of the Council, and allegations brought to our attention by a member of the public. Reporting safeguarding concerns can prevent serious abuse or harm from happening, or from escalating.

Staff and Councillors must not attempt to investigate abuse themselves; neither must they confront anyone who is allegedly responsible for abuse nor tell them that allegations have been made about them.

The officer responsible for receipt of concerns and forwarding them on is the Clerk. If the Clerk is absent, do not wait for him/her to return to work.

Report safeguarding allegations or concerns to Cornwall Council's Safeguarding Standards Unit on 0300 1231 116 or email safeguardingboards@cornwall.gov.uk at the earliest possible opportunity, and at least within 24 hours.

Dial 999 if a child, young person or vulnerable adult may be in imminent danger or a criminal offence may have been committed.

The Safeguarding Standards Unit or the police should be given as much factual information as possible. For example:

- the child, young person or vulnerable adult's name and address (and parents'/carers' address if different);

- the reason for concern – a note of significant events or conversations should be made as promptly as possible to assist with any referral and subsequent investigation. Evidence such as texts or Facebook entries should be preserved;
- any other known factors which may be contributing to the problem; and
- additional information such as age (or date of birth), ethnicity, religion, language and disabilities / specific needs.

However, the safeguarding concern should still be reported whether or not the information is complete.

Confidentiality, record keeping and sharing information

Information about safeguarding concerns should be regarded as confidential. The information is not secret, however, and Penryn Town Council will cooperate with investigations by Cornwall Council's Children's Services or Adult Social Care, or the police as applicable, and follow their advice to ensure that any risk to the safety of children, young people and vulnerable adults is addressed.

Where a disclosure is made it is important that the staff member does not promise the child / young person / vulnerable adult to keep the information secret but says that they will only disclose it to someone who can help them.

Allegations against a Councillor or member of staff

If someone witnesses behaviour by a Councillor, member of staff, contractor or partner, or an allegation is made about them that indicates that they have, or may have:

- harmed a child, young person or vulnerable adult, or put them at risk of harm;
- possibly committed a criminal offence against or related to a child, young person or vulnerable adult; or
- behaved in a way that indicates they may pose a risk of harm to children, young people or vulnerable adults;

they must report it as a safeguarding concern to the police and/or the Safeguarding Standards Unit, Children's Services or Adult Social Care at the earliest possible opportunity.

A Councillor or member of staff must report any allegation made against them to the Clerk or Chairman of the Council.

Safeguarding concerns and allegations relating to staff will be dealt with in accordance with the Disciplinary Procedure (including in instances where the member of staff resigns or leaves). However, investigations by the responsible authorities will take precedence over internal Council procedures relating to conduct. The Clerk or Chairman of the Council will liaise with the responsible authorities to agree the appropriate course of action.

The Clerk or Chairman of the Council will seek advice from Cornwall Council's Children's Services or Adult Social Care or the police prior to informing a member of staff of an allegation against them. The Clerk or Chairman of the Council will offer appropriate welfare support to the member of staff and ensure that they are kept appropriately informed during any investigation process.

In accordance with the law, the Council will refer to the Disclosure and Barring Service (DBS) any member of staff:

- who was dismissed because they harmed a child or adult;

- who was dismissed or removed from working in a regulated activity because they might have harmed a child or adult otherwise;
- who would have been dismissed for either of these reasons, but they resigned first; or
- who works with children or vulnerable adults in regulated activity and has been cautioned or convicted for a relevant offence.

Safeguarding concerns and allegations relating to Councillors will be referred to the Monitoring Officer and dealt with in accordance with the Code of Conduct of Members of the Council.

Recruitment and Selection

Criminal record checks will be made where appropriate. Roles that involve 'regulated activities', such as caring for, supervising or being in sole charge of children or vulnerable adults, require an Enhanced Disclosure and Barring Service (DBS) Check. This may include checking whether someone is included in the two DBS 'barred lists' of individuals who are unsuitable for working with children and adults. DBS Checks must be obtained for staff and volunteers undertaking these roles, and they will not be permitted to commence unaccompanied work until they have been received. It is against the law for employers to employ someone, or allow them to volunteer for, this kind of work if they know they are on one of the barred lists.

Information and Training

Appropriate information will be made available to staff and Councillors in the form of this policy and any necessary training.

External organisations licensed by, or working with, for or on behalf of the Council

The Council works with and through a number of external organisations such as charities, contractors, and other public sector bodies.

Where these external organisations are likely to have significant contact with children, young people or vulnerable adults as a direct result of their work for, on behalf of, or in partnership with the Council, they are required to have safeguarding procedures, such as safe recruitment and selection processes, in place.

They must be made aware of this policy and must provide the Council with a copy of their safeguarding procedure.

6.5 Social Media Policy

Introduction

The aim of this Policy is to set out a Code of Practice to provide guidance to Penryn Town Councillors and officers in the use of online communications, collectively referred to as social media. Social media is a collective term used to describe methods of publishing on the internet. The policy covers all forms of social media and social networking sites which include (but are not limited to):

- Town Council website
- Facebook, Myspace and other social networking sites
- Twitter and other micro blogging sites

- Youtube and other video clips and podcast sites
- LinkedIn
- Bloggs and discussion forums
- Town Council emails

The principles of the Policy apply to Town Councillors and officers of the Council. It is also intended for guidance for others communicating with the Town Council. The policy sits alongside relevant existing policies which need to be taken into consideration.

The use of social media is not to replace existing forms of communication. The website and other forms of social media will be used to enhance communication. Therefore existing means of communication should continue with social media being an additional option.

Aspects of the Members' Code of Conduct apply to online activity in the same way it does to other written or verbal communication. Online content should be objective, balanced, informative and accurate. What is written on the web is permanent.

In the main, Councillors have the same legal duties online as anyone else, but failures to comply with the law may have more serious consequences. There are some additional duties around using websites for electoral campaigning and extra care needs to be taken when writing on planning matters where Councillors should avoid publishing anything that might suggest they do not have an open mind about a matter they may be involved in determining.

Policy Statement

The Town Clerk will be responsible for posting and monitoring of the content ensuring it complies with the Social Media Policy. The Town Clerk will have authority to remove any posts made by third parties from the Council's social media pages which are deemed to be of a defamatory or libellous nature. Such posts may also be reported to the host website.

The Town Clerk will maintain and update the Town Council website.

The social media may be used to:

- Post minutes and dates of meetings
- Advertise events and activities
- Good news stories linked website or press page
- Vacancies
- Retweeting or 'share' information from partners
- Announcing new information
- Post or share information from other Parish related community groups, clubs, associations, and bodies
- Refer resident queries to the Clerk and/or Councillors

Facebook will be used to support the website information above.

Emails will be used to distribute information on Council business.

Individual Town Councillors are responsible for what they post. Councillors are personally responsible for any online activity conducted via their published email address which is used for Council business. Councillors are strongly advised to have separate Council and personal email addresses.

All social media sites in use should be checked and updated on a regular basis and security settings must be in place.

Guidance for Town Councillors and other contributors

When participating in any online communication:

- (a) Be responsible and respectful; be direct, informative, brief and transparent.
- (b) Always disclose your identity and, where appropriate, affiliation to the Town Council. Never make false or misleading statements.
- (c) Councillors should not present themselves in a way that might cause embarrassment. All Councillors need to be mindful of the information they post on sites and ensure that personal opinions are not published as being that of the Council; or bringing the Council into disrepute; or contrary to the Council's Code of Conduct or any other Policies.
- (d) Keep the tone of your comments respectful and informative, never condescending or 'loud'. Use sentence case format, not capital letters, or writing in red to emphasise points.
- (e) Refrain from posting controversial or potentially inflammatory remarks. Language that may be deemed as offensive relating in particular to race, sexuality, disability, gender, age or religion or belief should not be published on any social media site.
- (f) Avoid personal attacks, online fights and hostile communications.
- (g) Never use an individual's name unless you have written permission to do so.
- (h) Permission to publish photographs or videos on social media sites should be sought from the persons or organisations in the video or photograph before being uploaded.

Respect the privacy of other Councillors and residents.

Do not post any information or conduct any online activity that may violate laws or regulations.

Residents and Councillors should note that not all communication requires an response. Questions will be responded to as soon as is practically possible, but comments will only be responded to where there is a need for clarification of a point raised. Some communication from residents and other third parties may be required to be discussed at a Town Council meeting. When this is necessary the item will be placed on the next available agenda. Any response will then be included in the minutes of the meeting.

The Town Clerk shall remove any negative posts which may contain personal and inflammatory remarks, libellous or defamatory information without further comment or notification.

Councillors or residents who have any concerns regarding content placed on social media sites should report them to the Town Clerk. Misuse of such sites in a manner that is contrary to this and other policies could result in action being taken.

The Policy will be reviewed annually.

6.6 Training and Development Policy

Introduction

Penryn Town Council is committed to the ongoing training and development of all Councillors and employees to enable them to make the most effective contribution to the Council's aims and objectives in providing the highest quality representation and services for

the people of the town.

According to the Chartered Institute of Personnel and Development (2007), training can be defined as:

'A planned process to develop the abilities of the individual and to satisfy current and future needs of the organisation.'

Penryn Town Council recognises that its most important resource is its Councillors and officers and is committed to encouraging both Councillors and officers to enhance their knowledge and qualifications through further training. Some training is necessary to ensure compliance with all legal and statutory requirements.

Providing training yields a number of benefits including:

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

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

The process of development is as follows:

1. Training needs should be identified by considering the overall objectives of the organisation, as well as individual requirements.
2. Planning and organising training to meet those specific needs.
3. Designing and delivering the training.
4. Evaluating the effectiveness of training.

Identification of Training Needs

Employees will be asked to identify their development needs with advice from their line manager during their annual appraisal (see Appendix 1) or regular meetings with their line manager.

There are number of additional ways that the training needs of both Councillors and staff may be recognised:

- Questionnaires
- During interview
- Following confirmation of appointment
- Formal and informal discussion

Other circumstances may present the need for training:

- Legislative requirements i.e. first aid, fire safety, manual handling
- Changes in legislation
- Changes in systems
- New or revised qualifications become available
- Accidents
- Professional error

- Introduction of new equipment
- New working methods and practices
- Complaints to the Council
- A request from a member of staff
- Devolved services/delivery of new services

Employees who wish to be nominated for a training course should discuss this in the first instance during their appraisal; where it will be determined whether the training is relevant to the authority's needs and/or service delivery.

Corporate Training

Corporate training is necessary to ensure that employees are aware of their legal responsibilities or corporate standards e.g. health and safety, risk management and equal opportunities. Employees will be required to attend training courses, workshops or seminars where suitable training is identified.

Financial Assistance

It is important to note that all sponsored training must be appropriate to the needs of the Council, be relevant to the individual's role and is subject to the availability of financial resources.

Each request will be considered on an individual basis and the benefits to the individual and the Council will be identified.

In order to best ensure cost effectiveness, Councillors and employees will be required to attend the nearest college/venue offering the required course, unless an alternative is authorised by the Council in the interest of operational effectiveness or best value.

Other considerations include the following:

- Implication of employee release for training course(s) on the operational capability of the Council
- The most economic and effective means of training
- Provision and availability of training budget

For approved courses Councillors and employees can expect the following to be sponsored:

- The course fee
- Examination fees
- Associated membership fees
- One payment to retake a failed examination

Councillors and officers attending assisted courses are required to inform the Town Clerk immediately of any absences, giving reasons.

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

Study Leave

Employees who are given approval to undertake external qualifications are granted the following:

- Study time to attend day-release courses
- Time to sit examinations
- Study time of one day per examination (to be discussed and agreed by line manager in advance)
- Provision of study time which must be agreed with the line manager prior to the course being undertaken.

Short Courses/Workshops/Residential Weekends

Where attendance is required at a short course, a full day of paid leave will be granted.

Councillors and staff attending approved short courses/workshops/residential weekends can expect the following to be paid:

- The course fee
- Travelling expenses in accordance with the Council's current policy
- Subsistence in accordance with the Council's current policy

Evaluation of Training

Records of all training undertaken by employees will be kept in the personnel files of each member of staff.

As part of Penryn Town Council's continuing commitment to training and development, employees are asked to provide feedback on the value and effectiveness of the training they undertake highlighting in particular the key implications of new legislation, guidance and/or best practice for the ongoing efficiency and effectiveness of the authority.

Reporting on Progress

The Town Clerk will report annually to the Staffing Committee, detailing attendance at training over the year, with the inclusion of the Councillor and staff evaluation of courses attended.

6.7 Appraisal Procedure

Annual appraisals will normally be carried out in September with a review in the following March.

The first appraisal will be that of the Town Clerk which will be carried out by the Town Mayor and Chairman of the Staffing Committee.

Staff appraisals will be carried out by the Town Clerk and where appropriate, the Line Manager.

Employees will be issued with a copy of the appraisal form a minimum of five working days before the date of the appraisal and will be given guidance/briefing on how to prepare for and get the best out of these meetings.

Where an individual starts part way through an appraisal year, they should have an initial appraisal to set objectives shortly after commencing employment.

The appraisal will set objectives and/or targets drawn from, or contributing to the appropriate objectives set by the Council.

Objectives and action plans are determined as a result of a dialogue between employees and their appraiser.

One outcome of the appraisal process will be to generate a documented plan that captures the individual and team training and development requirements.

Formal disciplinary and grievance issues are not to be an objective of any performance appraisal procedure and will be dealt with separately.

Any issues concerning poor performance must be recorded on the appraisal form in order that any formal monitoring of performance is not undermined by contradictory messages being given to the employee.

Performance against objectives, targets and values should be assessed by objective evidence wherever possible. Where subjective judgement is involved it should be explained rationally, preferably with documented evidence.

Performance is assessed annually with a six month review and the results documented in an appraisal record. Employees have the right to add comments to their appraisal form. This may be anything they wish to say about their appraisal, their line manager and any blocks to the achievement of the objectives and targets set.

Both appraiser and appraisee share the responsibility for monitoring progress on the agreed objectives. The objectives will be discussed regularly in update meetings (one to ones/supervision) throughout the year. Significant changes to objectives and action plans between formal annual appraisals should be discussed and confirmed as amendments between employees and their line manager. Appraisers need to ensure that consideration is given to the resources required for enhancing the appraisee's performance and capability to meet the agreed objectives.

Appraisers should be provided with appropriate training prior to carrying out appraisals.

Where it is known that an employee is due to commence a long period of absence, e.g. maternity leave, this will be factored into the objective timescales and where appropriate, an appraisal will be held before the absence starts.

The Town Clerk will complete an appraisal form for each member of staff and the Town Mayor will be given the opportunity to add their comments.

A copy of the completed form, together with the Town Mayor's comments, will be provided to the employee within ten working days of the appraisal for signing.

Employees may add their own comments to the signed form if they disagree with any of the content.

The signed form will be filed in the employee's personnel file and a copy will be provided to the employee.

Employees may invoke the Grievance and Disciplinary Procedure in the event of issues over the accuracy or the fairness of the appraisal record or meeting, in which case the individual(s) hearing any grievance will need to have sight of the appraisal.

Appraisal records are treated as confidential documents and will generally only be available to the employee concerned, the appraiser and the Staffing Committee.

The Town Clerk will produce a report to the Staffing Committee summarising the outcome of the appraisals and any recommendations arising.

6.8 Adverse Weather and Travel Policy Working Arrangements

Introduction

This policy sets out the Council's approach to dealing with situations where normal arrangements for travelling to or attending work are disrupted.

It does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the Council's Staffing Committee.

Travelling to Work

The Town Clerk should discuss an employee's delayed arrival or inability to attend their normal place of work with the employee at the earliest possible opportunity. The employee must decide on the most appropriate solution for themselves. They are not entitled to be paid for time they do not work, but they should be given the options available to them.

Localised or personal travel difficulties

In circumstances where road accidents cause traffic congestion or where an employee's normal mode of transport fails, delaying or preventing attendance at an employee's normal place of work, the Council will be flexible and make allowances for infrequent reasonable delays, i.e. up to thirty minutes. However, employees will be expected to make up time lost for longer delays or not being able to attend work by working back the time, annual leave, TOIL (time off in lieu) or unpaid leave.

Adverse weather conditions

The Council does not expect employees to put themselves at unnecessary risk. The Council recognises that the weather can be unpredictable and it will be flexible in accommodating employee difficulties.

Where weather affects travel to work, the Council will accept reasonable delays. Where weather and road conditions worsen during the working day, employees may request permission to leave work early from the Town Clerk. This time off will be unpaid.

If an occasion of extreme adverse weather occurs and staff cannot reasonably get to work safely, the Council will not expect the employee to attend work, but this time will be unpaid.

Office Closures

If the Council takes the decision to close the workplace, the employer is preventing the employee from working on that day and employees will receive pay as normal. This is regardless of whether the employee has attempted to attend their workplace or not.

Dependants

As a result of school closures, some employees may need to take time off to care for their dependent children. In addition, care arrangements for other dependants, older or disabled relatives may be disrupted. The Council needs to strike a balance between the need to maintain services and the pressures that fall on employees who have childcare and other caring responsibilities.

The statutory right to time off to care for dependants does not provide the right to take extended leave, but only the right to take off what time is reasonable to allow the employee to deal with the unforeseen event.

Additional Hours

Where there are increased absence levels in critical service areas, Council may need to ask those able to get to work, to work additional hours. The Town Clerk should ask for volunteers from existing employees and agree such additional hours with the Council. The Council will also call upon employees who may have contractual overtime arrangements in place.

Bearing in mind the requirements of the Working Time Directive, additional working requirements should not be used in the long term, but to cover short-term crisis situations. Care will be taken to ensure those working additional hours do not put their own or others health and safety at risk and that they get regular rest breaks. If employees work additional hours, they will normally be remunerated through time back arrangements such as TOIL.

Misuse

If the Council has reason to suspect that an employee is abusing this flexible approach to lateness or absence, a full investigation will be undertaken in line with the Disciplinary Policy. If such abuse is established, it will be treated as any other form of unauthorised absence.

EMPLOYEE HANDBOOK RECEIPT

This Handbook has been drawn up by the Council to provide you with information on employment policies and procedures.

The policies and procedures contained within this handbook do not form part of your contract of employment; therefore the Council reserves the right to make amendments as necessary, for example reflecting changes to the law. Any change will be communicated to all staff. However, you are expected to read and comply with the policies and procedures contained within this handbook. Failure to do so could result in disciplinary action.

If you have any questions or any part of the Handbook is unclear to you, please do not hesitate to raise any queries with a member of management.

I acknowledge I have read and understood the policies and procedures contained within this handbook

Received by (Employee)

Signed

Date