



**Gainsborough**  
TOWN COUNCIL

# **Staff Employment Handbook**

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## 1 INTRODUCTION

This handbook has been produced for your benefit as an Employee of Gainsborough Town Council and provides you with a source of information, as well as answers to any questions or concerns you may have whilst employed by the Council.

Details concerning your pay, start date, job title and location of employment are contained in your individual contract of employment.

Naturally your manager is available to answer any urgent or complex problems and you should not hesitate to speak to them if you feel it appropriate. However this handbook is intended to act in a similar way to a guidebook, answering any routine questions and queries that may crop up.

The purpose of the book is to try to be as wide ranging as possible, covering all aspects of your employment from popular issues such as holidays and pay, to what we expect to be rare events such as grievances and discipline etc. If you have questions that cannot be answered by this document, do not hesitate to raise the matter with your manager.

### GENERAL EMPLOYMENT POLICY

The Council seeks to act as a responsible employer, using all reasonable and contemporary personnel practices and compliance in all respects with employment law and other legislation applying at the time. In doing so it will have reference to National Local Authority and Public Sector Organisations normative practice. Terms and Conditions will be kept under review and National Agreements (see below) honoured.

The Handbook is supplementary to your written statement of particulars of employment (Contract). The written statement of particulars of employment indicates the specific provisions relating to your post. In certain rare occasions your specific provisions may deviate from general policy and procedure set out in this Handbook. Where such occurrence shall arise the specific provisions shall prevail over this Handbook.

## 2 PROBATIONARY PERIOD OF EMPLOYMENT

All new Employees are initially employed for a Probationary Period, covering their first 3 months of continuous employment.

The Employee's performance will be reviewed with the Clerk and Personnel Committee at the end of this Probationary Period and their contract of employment will either be confirmed as permanent, or the probationary period extended for a period of time that is at the discretion of the manager.

If the Employee's performance and / or conduct have been particularly unsatisfactory during the probationary period, a decision may be made to terminate employment at this point.

All new Employees will be given regular feedback regarding their performance during their initial 12 weeks. This means that any decisions taken about their employment at the end of the first 3 months will not come as a surprise.

### Declaration of Other Employment

It is a condition of this Contract of Employment that you inform the Council of any alternative employment you undertake, in order to ensure that no Tax, National

Insurance or Working Time liabilities will accrue to the Council. The Council also reserves the right to require that any other employment that you undertake does not conflict with the role or standards required to be undertaken or met in public office to the Council.

### 3 PAY

Rates of pay are itemised in the individual contract of employment.

The Council reserves the right to make deductions from wages and / or final salary for the following items:-

- 1 Failure to return Council uniform or equipment which is the property of the Council, on termination of employment.
- 2 Loss or damage to Council property and/or vehicles/equipment up to the value of the insurance excess, due to neglect or careless actions by the Employee.
- 3 To recover payment made by mistake to Employees including overpayment of wages and expenses.
- 4 To recover any money owed to the Council.
- 5 To recover the cost of personal calls/texts made on any Council telephones.

#### **Training Costs**

The Council will deduct all expenses associated with the provision of training, as well as examination fees, from the final pay of Employees who have received training at the Council's expense, and who terminate their employment at any point up to twelve months following receipt of the training.

#### **Payslip Errors**

If you are aware of any discrepancy in your pay slip, you must inform your manager as soon as possible. Failure to do so may be considered to be an act of theft.

#### **NJC Pay Rates**

Some staff may be paid by reference to the National Joint Council (NJC) rates of pay which are reviewed on an annual basis and changes implemented on the 1<sup>st</sup> April each year.

#### **National Agreement on Pay and Conditions of Service**

The Council broadly accepts the provisions of the National Agreement on Terms and Conditions agreed annually between the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC). This is agreed after reference to the Joint Council for Local Government Services agreement. This may be more commonly known as the NJC Conditions. In some cases the Council may adopt its own policies and procedures as set out in this Handbook and in such cases the terms of this Handbook shall prevail.

#### **Overtime and Time Off in Lieu**

Overtime is not generally paid.

In general employees who are on flexitime arrangements will be expected to manage overtime worked in accordance with the flexitime policy. Staff who are on fixed hours will also be expected to take time off in lieu for occasional overtime requests as part of the flexible working approach required of all employees. Time off in lieu should also be taken if there is a requirement to work on a statutory bank holiday. Certain on-going jobs however do unavoidably require to be worked outside normal hours, and where this is

the case employees who are asked to do overtime on a regular or semi-regular basis will be paid. Examples of such cases are: cemetery gate locking, caretaking work after midnight and cemetery work outside of normal working hours (which can be recovered from the customer) and the overtime rate will be 1.5 times time for authorised hours worked greater than 37 or such hours as are specified as the basic weekly working hour requirement under an annualised contract.

### **Standby**

Certain employees may have a contractual requirement to be on standby outside normal working hours. A recent ruling requires that these hours are calculated as part of the normal hours of work (excepting excluded occupations). Where this is the case any hours exceeding the standard working hours for the local Council sector will be treated as overtime.

### **Reimbursable Expenses**

Where an employee is required to travel as a requirement of their job the Council will reimburse them at £0.45 per mile unless that employee is paid in accordance with the NJC Rates of Pay in which case NJC mileage rates will apply. Full and detailed records must be kept of all Council business mileage.

### **Insurance Premiums**

If the Clerk to the Council is required to use their car for Council business purposes then the Council will reimburse the amount of the difference between the ordinary social and domestic amount and that required by the insurer for business purposes. The Council may also reimburse the same cost for other staff members at its sole discretion.

## **4 PENSION ENTITLEMENTS**

Gainsborough Town Council is a member of the Local Government Pension Scheme which operates a contributory pension scheme which you are entitled to join. Details of of the scheme are available from the Clerk.

The Council provides all staff with access to its pension plan, which is provided by the Local Government Pension Scheme.

Staff who are not currently members of the Council's pension scheme will be obliged to do so once the Council has reached its Automatic Enrolment Staging Date.

The Council will be informed before October 2016 of what its Staging Date is. On that date the Council will be legally obliged to ensure that every eligible member of staff (aged over 21 earning between £8,100 and £33,000) is enrolled onto its pension scheme. Staff can withdraw from the pension after one month, and will have to inform the Clerk in writing of their wish to do so during their first month of enrolment.

## **5 HOURS OF WORK**

Details of working hours are provided on each Employee's separate contract of employment.

Due to the nature of the Council's work all staff are expected to be flexible and supportive of one another. It is a condition of employment for all Employees that

everyone is expected to co-operate with management to ensure work is completed within the necessary time scales and to the required standard.

Employees who work on a flexi time basis are required to complete daily time sheet records of their attendance at work.

### **Additional Hours**

If you are required to work more than your normal working hours servicing the Council and its committees or external events, you may take time off in lieu at a time agreed between you and the Clerk / Personnel Committee.

### **Flexitime**

Some employees will have formal flexitime arrangements which are part of their contractual terms. The details of such a scheme, if appropriate will be issued with your Main Terms and Conditions of Employment.

A flexitime scheme places an employee in a position of significant trust. You do have an obligation to work your contracted hours and the flexitime scheme allows you to do so over a period of time. Deliberate failure to work contracted hours constitutes gross misconduct and could lead to dismissal.

In order to operate the scheme it is important that Flexitime Records are kept up to date. You may be asked to produce your current or past Flexitime Record. Failure to maintain or produce an up to date record when required could lead to disciplinary action.

While Flexible Time allows you flexibility in determining your working hours it is a general requirement that the needs of the job will be satisfied. Therefore it is expected that Flexible Time will be used sensibly and that employees will plan to work when required to do so. For example where an evening meeting is scheduled which requires your attendance then in all normal circumstances it is expected that Flexible Time will be used to meet this requirement. In the event that such needs of the job are not being met then the Flexitime scheme may be suspended or terminated.

Whenever your use of flexitime creates a pattern of work which is significantly different from the Standard Working Day then you should as far as is possible let the Town Clerk and other affected colleagues know of your planned work schedule.

### **Annualised Hours**

Annualised Hours Contracts are appropriate where the requirements of the job are seasonal in nature. Working hours are agreed for the whole year rather than for a week. For example in "High Season" up to 48 hours per week might be required, which would be offset by less than standard hours of as little as 25 per week in the off season. Your specific working hours will be confirmed in your contract or any agreed variation thereof.

### **Fixed Hours**

Due to the nature of their roles some employees will have contracts which specify fixed hours. While these hours will be those normally worked there may on some occasions be a requirement for some flexibility due to a requirement for additional working. Except where covered by overtime provisions outlined above any additional hours worked will be compensated by Time off in Lieu.

**Time off**

Time off may be required for medical or dental appointments, and staff are required to use any accrued flexi time for this purpose. Where such time off is required it will only be granted at the discretion of the Clerk to the Council.

Where possible, such appointments should be outside normal working hours.

**6 FLEXIBLE WORKING TIME REQUESTS**

Employees with caring responsibilities for immediate members of their family, and who have more than six months continuous employment, are able to request changes to their working hours to help them address these commitments. The Council will not be obliged to accept this request, however refusal will be based on one or more of the following:

- 1 The additional costs to the council.
- 2 Reduced ability to meet the needs of customers.
- 3 Inability to share the person's workload amongst other staff.
- 4 Potentially damaging effects upon the quality of work produced.
- 5 Potentially damaging effects upon performance.
- 6 Inability to recruit extra staff to provide cover.

Requests to change working hours must be made in writing to the Clerk / Personnel Committee. The process of holding a meeting with the Employee making the request and providing a written response to them should take no more than 28 days.

If the Employee who made the request is unhappy with management's decision, they must address the issue through the Council's grievance procedure.

**7 HOLIDAY ENTITLEMENT**

Full time staff are entitled to 21 days paid leave per annum, increasing to 25 days after five years continuous employment, plus all 8 annual Bank Holidays. If staff are required to work on a Bank Holiday they will be paid at their normal rate of pay, plus receive the equivalent time off in lieu.

These entitlements are pro-rata for part time Employees, based on a full time equivalent of a 37 hour working week.

All holiday requests will be considered by the Clerk. The following conditions and considerations will apply:

- 1 How many other Employees have already requested leave during the same period.
- 2 No more than a maximum of two weeks can be requested at any one time.
- 3 The request is made with a minimum of two weeks prior notice.

The Council's holiday year runs from 1<sup>st</sup> April to 31<sup>st</sup> March each year. Up to a maximum of five days unused entitlement can be carried over into the following year. In the event that an Employee has been prevented from using their full holiday entitlement because of reasons outside of their control, they need to discuss their concerns with the Council's management.

Employees who leave or join the Council during the holiday year are entitled to a pro-rata holiday allowance, based on how much of the year they work for the Council.

Employees who leave and have not fully used their pro rata entitlement will be reimbursed by payment in lieu. Similarly, those Employees who have exceeded their pro rata holiday entitlement when they leave will have the appropriate amount deducted from their leaving pay.

#### **Working on a Public Holiday**

You may be required to work on a Bank Holidays, for which you will be paid as normal and entitled to take one day off in lieu at a mutually agreed date.

### **8 ILLNESS & STATUTORY SICK PAY**

Employees should report all accidents immediately, or as soon as possible, to the Clerk; or whoever is deputising in their absence.

In the event of time off due to illness:

- 1 Notification should be given as soon as possible during the first day of incapacity.
- 2 Employees need to complete a Council Sickness Self Certification Form after 3 consecutive days of sickness absence.
- 3 A GP's Statement of illness is required after seven consecutive days absence.

Please note that failure to comply with the sickness reporting requirements may result in the Employee losing their sick pay for the period in question.

Employees are entitled to Council sick pay paid at the following rates:

Length of Continuous Employment	Council Sick Pay Entitlement	
	Full Pay	Half Pay
Up to 12 months	1 month	1 month
Up to 2 years	2 months	2 months
Up to 3 years	3 months	3 months
Up to 4 years	4 months	4 months
Up to 5 years	5 months	5 months
Over 5 years	6 months	6 months

This includes payment of Statutory Sick Pay (SSP), which is payable to Employees whose weekly pay is equal to or exceeds the National Insurance Lower Earnings Limit. SSP is payable to Employees for up to a total of 28 weeks within any twelve month period. If the period of sickness exceeds twenty eight weeks, SSP will end and the Employee will be required to claim Incapacity Benefit.

In the event of an Employee being absent for six weeks or more through sickness, or alternatively if the Council has genuine concerns regarding the health of an Employee, the Council may request that they attend a consultation with a doctor appointed by the Council. The Council will pay for this consultation. The Employee concerned does not have to give their consent to this request, however failure to do so may be seen as a deliberate act to prevent a reasonable investigation by the Council's management.



**Medical Appointments**

Staff are where possible required to make GP and dentist appointments outside of normal working hours. Staff attending hospital appointments are required to show an appointment card to the Clerk prior to attending the appointment.

**9 PARENTAL LEAVE**

Employees with more than 12 months continuous employment and who are parents of children aged under six years old, are entitled to 18 weeks unpaid leave; pro rata for part time staff. Such leave must be taken before the child's 5<sup>th</sup> birthday.

This entitlement can be taken as a minimum of one week per annum, up to a maximum of four weeks per annum.

When taking Parental Leave, the Council needs to be given the same period of notice as for holidays, and informed that it is specifically Parental Leave that you are taking.

**10 TIME OFF FOR DEPENDANTS**

Employees are entitled to reasonable unpaid time off where:

- 1) A dependant is ill
- 2) Death of a dependant
- 3) Disruption occurs to the care of a dependant
- 4) Unexpected occurrences to your child

Gainsborough Town Council recognises a dependant as: an Employee's children, partner, parent, or other member of their immediate family. Should an Employee care for other dependants who don't fall within this definition, they should discuss the matter with the Clerk.

The Council recognises that most of these events can occur without a great deal of warning, however we request that Employees provide as much notice as possible in the event of taking time off for dependants.

**11 REDUNDANCY**

It is the aim of this Council to avoid making Employees redundant wherever possible. Ideally this will be achieved through finding an alternative position within the Council.

Should redundancy be unavoidable, the organisation will follow the following procedure:

- 1 Issue a Notice of Threat of Redundancy; this will include notice of a period of consultation and the date consultation will begin.
- 2 Provide those individuals affected with a consultation period of 30 days. During this period the Council will discuss with the affected Employees:
  - 1 Finding alternative work within the Council.
  - 2 Reasons for the redundancy.
- 3 Calculating the amount of redundancy compensation Employees with two or more years continuous employment are entitled to, based on the Statutory Formula.

Statutory Formula:	
Employees Aged 18 – 21 years old	½ week's pay for every year employed under the age of 22
Employees Aged 22 – 40 years old	1 week's pay for every year employed over the age of 21
Employees Aged 41 + years old	1 ½ weeks' pay for every year employed over the age of 40
Maximum weekly wage limit - £450	Up to a maximum of twenty years

- 5 After the period of consultation a Formal Meeting will be arranged to discuss the outcome of the consultation. Individuals will be invited by letter to this meeting and informed of their right to be accompanied.
- 6 Conduct an Appeal against the Formal Decision, should the affected Employee wish to do so. Appeals must be submitted in writing within 7 days of the Formal Meeting.

## 12 TERMINATION OF EMPLOYMENT

### Employee Termination

Should an Employee wish to terminate their contract of employment with Gainsborough Town Council, the Council requests that a period of one month's notice is provided prior to termination.

### Council Termination and Changes to Terms and Conditions

In the event of Gainsborough Town Council needing to terminate an Employee's contract, or alter its terms and conditions, for any purpose other than for Gross Misconduct, the Council will provide the affected Employee(s) with a notice period equal to that of their statutory notice period, i.e:- One week for each year of continuous employment up to a maximum entitlement of twelve weeks notice.

## 13 INSURANCE

### Personal Accident and Assault

As a responsible Employer the Council is anxious to minimise the risk to its Employees of personal accident or assault whilst performing their duties. The Council will therefore insure staff against death or permanent disablement arising from and in the course of their duties.

### Fidelity Guarantee

For the purpose of securing the Council against the loss of money or other property under the control of its Employees, or in accordance with the requirements of legislation, the Council will maintain adequate insurances to cover such losses.

## 14 ANY OTHER POINTS

The Council fully conforms with all current employment and other relevant legislation concerning:

- a) The Working Time Directive
- b) Equal Opportunities Employment
- c) Minimum Wage Requirements

**15 DEATH IN SERVICE**

In the event of an Employee's death in service, any salary, pension or gratuities due to the Employee will be paid to the nominated next of kin.

**16 ANNUAL PERFORMANCE REVIEW**

A satisfactory performance is a basic contractual requirement. You have a duty to monitor your own performance and to take advantage of appropriate training opportunities as they arise. You should also seek opportunities to improve the way things are done either on your own initiative, if appropriate or in conjunction with your colleagues and management. This will help to maintain the overall quality and cost effectiveness of the services offered and to ensure the continued viability of the employment the council will undertake an **Annual Performance Review (Appraisal)**:

The council will ask you to take part in an annual performance review. We do this both to build on your strengths for your future development and that of the Council; and at the same time offer support/training in the case of any weaknesses.

The reviews should be seen as a positive process, which we believe are beneficial to both the employee and the Council.

**17 GENERAL MATTERS****Changes in Personal Details**

You must notify us of any change of address, next-of-kin etc, so the Council can maintain accurate information on its records and make contact with you in an emergency. Such changes should be advised to the Clerk to the Council.

**Payment of Salaries and Wages**

The Employment Rights Act 1996 required that you will receive a pay slip showing how the total amount of your salary/wages has been calculated. This must show all the deductions made and the reasons for them, e.g. Income Tax, National Insurance Contributions etc. Any queries that you may have should be raised initially with the Clerk to the Council.

**Indemnity**

The Council undertakes to indemnify you from any acts or omission or commission that are carried out by you while acting in good faith on the Council's business.

**18 DECLARATION**

Please note that Gainsborough Town Council may need to alter these terms and conditions when circumstances require it. When possible, all changes will ideally be with the mutual agreement of staff. However, where unilateral management changes are made, Employees are given notice equal to that of their statutory notice entitlement.

**Acknowledgement of Receipt - I acknowledge that I have received an up to date copy of the Staff Handbook and related Employment Policies and Procedures, containing the following details concerned with my employment:**

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Employee's Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Date Handbook Received: \_\_\_\_\_



# Gainsborough

## TOWN COUNCIL

### Appendix 1

### Health and Safety Policy

#### Foreword

Organisations which perform well and have high standards of safety and health are often the most successful. It has been demonstrated time after time that high performing organisations are committed to the application of sound and effective management of health and safety which is fully integrated into their operations.

This policy clearly illustrates the Council's commitment to health and safety and welfare of all employees whilst at work. Our duty also extends to ensuring Council activities do not detrimentally affect others.

To this end the Council requires the support and co-operation of all employees. Indeed working together we can create an even safer place of work.

Town Clerk

## **Section A – General Statement of Health & Safety Policy**

Gainsborough Town Council regards health and safety as a matter of prime importance and will at all times ensure, so far as reasonably practicable, the health, safety and welfare of all employees. The Council shall also ensure so far as reasonably practicable that activities of the Council do not in any way cause detriment to the general public, contractors and other non-employees.

It is the policy of this Council that health and safety is and shall remain a management responsibility equal to that of any other function.

A positive health and safety culture can only exist with the full co-operation and commitment of staff. With this in mind management shall ensure that effective control of health and safety is achieved through ensuring co-operation and communication with all employees within the organisation and by ensuring competence of those employees.

Health and safety plays a vital role in achieving the commitments of the Council. The Council also acknowledges the significant benefits accruing from positive & pro-active health and safety management and the input such management can make into achieving "Best Value" and quality services.

This Council believes that accidents and occupational ill health incidents are preventable and to this end, using the risk assessment tool, shall endeavour to manage risks in order to prevent or at least minimise the occurrence of these incidents. Risks shall, where possible, be reduced to a reasonably practicable level.

It is equally the duty of all employees to exercise responsibility and to do all that is reasonable to prevent injury to themselves and to others that may be affected by their actions or omissions.

This Council will ensure that appropriate consultation with employees and/or their recognised trade unions will take place on matters affecting their safety and or health.

The Council acknowledges its legal responsibilities to appoint competent contractors. All reasonable steps shall be taken to ensure contractor's competency and adequate steps taken to monitor their activities in consideration of health and safety requirements.

This policy shall be reviewed at least annually and any amendments shall be brought to the attention of all employees.

Signed

**Town Clerk**

Date

Review date

## **Section B – Responsibilities and Organisation**

### **B1 Responsibilities of the Council**

The Council, through its elected Members and Committees has responsibility for:

- a) The health, safety & welfare of the Councillors, Council employees and volunteers;
- b) The conduct of the Council's undertakings to ensure the health, safety and welfare of the public and other persons who may be affected by our work.

To meet these responsibilities the Council shall ensure:

- a) That there is an effective overall policy for the health, safety and welfare of all Councillors, Council employees and volunteers and appropriate resources are available to meet the requirements of that policy;
- b) That any necessary changes are made to the Health & Safety Policy arising from annual reviews and alterations, amendments to organisational structures and operational arrangements;
- c) That the general public are made aware of any situations that may arise which may affect their health, safety or welfare and that the Council shall take steps to eliminate such situations;
- d) That the Council's activities do not detrimentally affect the health, safety or welfare of the general public and/or other persons e.g. Contractors;
- e) That the Council shall review the implementation of this policy annually and make such recommendations as are necessary.
- f) Health and safety matters shall be under the remit of the Personnel Committee.

### **B2 Responsibilities – Town Clerk**

The Town Clerk is responsible for giving overall effect to the Council's health and safety policy and will, as necessary review the effectiveness of the policy and of the personnel under his/her control to whom various aspects of health and safety have been delegated.

The Town Clerk is nominated, as the "Safety Champion" and he/she shall, where possible, ensure Health & Safety issues are adequately represented / communicated at corporate level.

The Town Clerk will recommend to the Council that at all times there are adequate resources to meet the health & safety requirements of the Council and will, as necessary, review the effectiveness of arrangements and the personnel under his/her control to whom various aspects of health & safety have been delegated

The extent of various aspects of health & safety legislation, together with training, administration and the day to day working requirements justify the need for the Town Clerk to delegate to personnel under his/her control and to use the services of external competent assistance where necessary.

### **B3 Operations Manager**

The main responsibility for implementing the Council's Health & Safety policy rests with the Operations Manager who is responsible for ensuring that the Council has appropriate safety systems in place to ensure compliance with legislation.

#### **B4 Appointment and Implementation**

In accordance with the Management of Health and safety at Work Regulations and in view of the essential need for competent assistance to be available to the Town Clerk at all times the Council shall: Appoint competent persons to carry out all Health and Safety undertakings, arrange for appropriate information and training and implement all necessary measures to meet with current Health and Safety requirements.

#### **B5 Responsibilities – Officers of the Council who let or Control Contracts and Contractors**

Such Officers shall ensure that:

- a) Health & Safety competency considerations are an integral part of procurement decisions
- b) Suitable resources are allocated to ensure health and safety
- c) Reasonable enquiries are made to ensure the competency of potential Contractors;
- d) Employees are adequately trained to be able to manage the contract safely;
- e) The Contractor's health and safety performance is suitably monitored;
- f) Competent advice is sought when required;
- g) All work is in accordance with this Council's policies.

Also, such Officers shall ensure that procedures 1 to 6 of section C13 of the Health and Safety Policy are strictly applied to all contracts.

The level and quantity of precautions taken must always be proportionate to the actual level of risk present.

#### **B6 Responsibilities – Line Managers / Supervisors**

Line Managers / Supervisors shall ensure that instructions relevant to the Council and the Section concerning health and safety are practiced and that the necessary information, policy and codes of practice are disseminated to, and effected by, employees for whom they are responsible.

Specifically Line Managers / Supervisors shall ensure that:

- a) Risk assessments are available and communicated to all relevant staff and reviewed to ensure they are suitable and sufficient.
- b) All accidents are investigated and reported.
- c) Frequent monitoring is carried out to ensure adherence to legislation, policy, codes of practice, risk assessments, work method statements or other relevant health & safety instructions.
- d) Persons within their control use all safety devices/control measures provided in the interests of their safety.
- e) Suitable first aid provision is available within their area.
- f) Areas/buildings for which they have responsibility are kept in a safe condition
- g) Employees within their control are competent to carry out their tasks without putting themselves or others at risk.
- h) Appropriate supervision is available where required.
- i) Plant and equipment is suitable for the task that it is required for and is suitably maintained in accordance with the manufacturer's recommendations and relevant legislation where appropriate.



- j) Training identified to enable staff to carry out their tasks safely is provided.
- k) All health & safety shortcomings which are noted either by the Line Manager / Supervisor or notified by others are addressed and dealt with accordingly.
- l) All activities that pose a risk of serious or imminent danger are stopped and dealt with accordingly.
- m) Individual risk assessments are completed for all persons under the age of 18 years old.

## **B7 Responsibilities – All Employees**

Employees shall:

- a. Take reasonable care for their own safety and that of others who may be affected by their acts or omissions;
- b. Inform their line manager, without delay, of any work situation which might present a serious and imminent danger;
- c. Inform management of any shortcomings in the Council's health and safety arrangements;
- d. Make themselves familiar with and conform to all safety rules applicable to their work;
- e. Correctly use safety equipment, protective equipment/clothing and devices as necessary and follow instructions and advice regarding use of substances;
- f. Report, to their line manager, all accidents and damage and adhere to the Council's procedure for the reporting of accidents/violent incidents, regardless of whether persons are injured or not;
- g. Report all hazards to their line manager immediately;
- h. Comply with instructions given on health and safety matters and adhere to the Council's codes of practice for securing safe working arrangements.
- i. Risk Assessments must be read by all concerned and a report signed to this effect must be put on file.

## **Section C – Arrangements**

### **C1 Risk Assessments**

Risk assessment is considered to be the foundation of this Council's Health, Safety and Risk management programme. Without risk assessment we are unable to identify and control our true risks.

The Town Clerk and by delegation the Operations Manager are responsible for ensuring suitable risk assessments are produced and maintained relevant for all significant risks and that adequate controls are provided.

Adequate training shall be provided to the Operations Manager to assist him/her in the risk assessment procedure.

The Operations Manager shall identify hazards and evaluate risks produced by the Council's activities. Where this assessment highlights a significant risk the Officer shall record his/her findings on the authority's risk assessment pro-forma. A copy of these assessments shall then be forwarded to the Town Clerk. The Operations Manager MUST ensure that staff are made aware of the significant findings of all relevant risk assessments. Indeed, wherever possible employees shall be consulted during the risk assessment exercise.

Risk assessments shall be reviewed and amended as necessary, by the Operations Manager:

- a) on an annual basis
- b) following an accident
- c) if there is a significant change in the work activity
- d) where employees are under the age of 18 years
- e) on receiving notification of pregnancy from an employee, and
- f) when a new/vulnerable employee starts.

#### **Action Plans**

Risk assessment is, however, but a process and implementation of the final action plan is essential. Therefore, action plans shall be produced by the Line Manager for all outstanding works determined from the risk assessment process. This action plan shall be agreed and signed off only by the Town Clerk, and reviewed by the Operations Manager after 6 months. Implementation of the final action plan is essential to ensure that the Council meets its legal obligations

#### **Health and Disability**

A full assessment of an individual's ill health or infirmity must form part of the process. The issues from any underlying conditions whether of an acute or chronic nature are to be considered, so that the risks to the employee and others who may be affected by the employee's acts or omissions are fully assessed. It is important to note that Health and Safety requirements take precedence over disability legislation.

### **C2 Consultation**

The facility for joint consultation on health and safety matters shall be included within the regular staff meetings. Notwithstanding this mechanism all employees shall be encouraged to bring to the attention of management any concerns or indeed suggestions regarding health and safety.

### **C3 Fire**

The Operations Manager shall be responsible for the fire safety across all Gainsborough Town Council sites. This Officer shall:

- a) Ensure a suitable and sufficient fire risk assessment is made to evaluate the potential fire risks and adequate responsive action is taken to remove or reduce risk to a minimal and appropriate level;

- b) Suitable instructions are posted in conspicuous areas informing all users of the building what action to take in case of a fire;
- c) All staff within Gainsborough Town Council, have received appropriate fire safety information, instruction and/or training. This shall be documented;
- d) A suitable fire plan has been produced and where applicable Fire wardens are appointed to ensure a rapid and effective evacuation;
- e) Fire drills are carried out at least once every 12 months;
- f) Ensure that special areas of fire risk potential are suitably marked and special procedures formulated;
- g) All fire equipment is inspected and maintained in accordance with relevant current guidance. This shall be documented within the Fire Log Book.

#### **C4 Accident & Dangerous Occurrences Reporting**

Details of all accidents will be recorded in an accident book, and investigated by the Operations Manager with support from the respective line manager. The requirements of RIDDOR will be followed in respect of any reportable accident or dangerous occurrence. Action considered necessary to prevent a recurrence will be taken, and a report submitted to the enforcing authority.

RIDDOR reportable accidents and dangerous occurrences can be reported to the HSE Reporting Centre by:

☎ Phone	0845 300 9923
Out Of Hours	0151 922 9235

If the accident etc. is reported by phone, the operator will give an incident number. It is important to record the number in the Accident Book and quote in any subsequent correspondence relating to the incident. The RIDDOR reporting centre will take details of the incident and they will produce the Form F2508 and they will send a copy to the employer of the injured person.

There are a number of reasons why it is essential that all accidents/incidents (including near misses) be recorded and reported if required by RIDDOR. These include:

- a) A legal requirement to report certain injuries, diseases and dangerous occurrences
- b) Insurance Company requirements to notify them and keep details for possible future claims
- c) Department of Work and Pensions requirements to record details of all accidents in the workplace Accident Book
- d) To help the Council to monitor its' health and safety performance

The following procedure should be followed selectively in the event of an accident or near miss:

- a) Without endangering yourself, ensure that the casualty is made as safe as possible from further harm
- b) Call the First Aider (if appropriate)
- c) Make the area as safe as possible, without endangering yourself
- d) If practical, do not move any material or equipment involved; if this is not possible, take a note of quantities and location of tools, equipment etc. involved
- e) The person involved in the accident should ensure that details of the event are entered in the Accident Book; if this is not practical, the Nominated Person will record the details.
- f) All accidents will be investigated in order to:
  - (i) Establish the cause
  - (ii) Determine the extent of injuries and damage
  - (iii) Decide on action necessary to prevent a reoccurrence

If any member of the public, visitor or uninvited visitor is involved in an accident or is injured, details must be entered in the Accident Book. Details of all accidents will be recorded. The requirements of RIDDOR will be followed in respect of any reportable accident or dangerous occurrence (see 2.5).

Where an accident or reportable incident occurs on a site controlled by our customer, a senior representative of our customer will be informed, involved in any investigation and consulted on subsequent action taken to prevent a reoccurrence.

If any member of the public, visitor or uninvited visitor is involved in an accident or is injured, details must be entered in the Accident Book. Details of all accidents will be recorded. The requirements of RIDDOR will be followed in respect of any reportable accident, near miss or dangerous occurrence.

Where the **Health & Safety Executive** or other enforcement agency provides advice, information or guidance in respect of our work activities and operations, this will be implemented as a matter of priority. The accident performance will be closely monitored and preventive action taken if required; this could include employee training, review of risk assessments, safe systems of work and method statement, use of alternative work equipment, PPE etc.

## **C5 First Aid**

Suitable and appropriate first aid equipment and expertise, appropriate to the assessment of risk and need, is provided in accordance with legislation and codes of practice, to all employees regardless of their work situation.

The Operations Manager must ensure that used first aid equipment is replenished and training for staff is provided to ensure that adequate first aid cover is maintained at all times.

First Aiders shall keep records of all first aid administered.

Managers shall ensure that names of First Aiders are displayed in premises for the information of employees.

## **C6 Supervision & Instruction**

Adequate supervision and instruction, appropriate to the level of risk present and the employee's competency shall be provided to all work activities.

In order to be able to determine the necessary level of instruction and supervision the line manager shall be competent as regards the identification and recognition of hazards within their work activities.

Managers/supervisors are required to instruct employees of all relevant policies and guidance, to monitor the effectiveness and initiate any steps necessary to improve safe working conditions or practices.

## **C7 Training**

Training is essential to ensure staff acquire the necessary skills, knowledge and attitudes to make them competent and therefore remove or reduce risk.

Training needs shall be identified by the Town Clerk and the Operations Manager. The need for health and safety training shall be identified within risk assessments and at staff appraisals.

In addition, training needs shall be assessed at:

- a) induction,
- b) on an annual basis (Staff appraisals)
- c) following an accident
- d) during a safety audit
- e) when work activity/equipment etc. change

**Specific training requirements:**

The Operations Manager shall arrange for adequate training including:

- a) Application of pesticides (Certificate)
- b) Manual handling
- c) Appointed First Aid (Certificate)
- d) Basic fire extinguisher use/fire warden training
- e) Working at heights/use of ladders

**C8 Maintenance**

Maintenance of plant and equipment, upon which personal safety depends, will be the responsibility of managers/supervisors who will ensure that there are proper arrangements for:

- a) Regular examination and testing, by a competent person, of all plant and equipment in accordance with statutory provisions, codes of practice and risk assessments;
- b) The recording of all such tests, examinations and remedial action taken;
- c) The withdrawal and isolation of all defective plant, equipment and installations until remedial work is effective.

**C9 Good Housekeeping and the Workplace**

This Council considers good housekeeping to be a key issue in accident prevention and an issue everyone must assist in.

There shall be proper arrangements for the storage of clothing, tools, supplies and waste. There shall also be provided and properly maintained clean work areas, washing/toilet/mess rooms.

Managers/supervisors shall ensure that all accesses and egresses in the workplace, including corridors, gangways, stairs, thoroughfares, etc. are maintained in a safe and clean manner.

All reasonable measures shall be taken to ensure suitable temperature, humidity, lighting and space requirements within all working environments.

Risk assessments must include reference to the above.

**C10 Hazardous Substances**

The Operations Manager, using the Council's COSHH assessment pro-forma, shall suitably assess all substances hazardous to health within the workplace. Where possible hazardous materials shall be substituted by non-hazardous or less hazardous substances. Health and safety data sheets shall be requested from the manufacturer or supplier of all substances. All relevant details shall be made available for employees who shall be instructed to read the information prior to use.

The Operations Manager shall ensure that

- a) Exposure to all hazardous substances and associated risk shall be identified, assessed and controlled within a COSHH risk assessment.
- b) A data sheet along with the COSHH Assessment shall be kept for each substance in the office. In addition, copies will be kept and data sheets changed and updated as necessary by the relevant

officer. The Operations Manager shall ensure that staff obtain an appropriate hazard data sheet from the suppliers of each substance.

- c) All substances shall be used in accordance with the instructions and precautions as described in the product data and the COSHH Assessment.
- d) All substances shall be stored in the appropriate containers which shall be kept in appropriate accommodation and disposed of safely and without risks to the environment.
- e) Suitable precautions shall be provided to inform and protect employees against the risks associated with relevant infectious diseases including Weil's Disease.

Gainsborough Town Council shall ensure that all Contractors and their Sub-contractors provide, on site, suitable COSHH assessments and appropriate hazard data sheets.

### **C11 Personal Protective Equipment & Clothing**

Suitable personal protective equipment and/or clothing (PPE & PPC) shall be supplied where a risk assessment has identified a need. Where PPE/PPC is required the manager/supervisor shall ensure that an assessment has been carried out to ensure the correct type has been purchased and that it fits all employees correctly.

All reasonably practicable measures shall initially be taken to remove the risk. Only if the risk remains after this shall PPE be issued. PPE shall always be the last resort.

Managers/Supervisors shall ensure that PPE is worn where required. Refusal by an employee to wear the correct PPE shall be treated seriously and disciplinary procedures may be considered.

Employees shall not be charged for the basic provision of PPE/PPC where this has been identified within risk assessments. Employees may, however, be requested to supplement the cost of PPE/PPC where employees request PPE/PPC that incurs costs above the cost of the basic provision. The line manager must ensure that all equipment provided meets full CE accreditation and is suitable for the risks present.

### **C12 Display Screen Equipment**

Display screen equipment as defined within the Health & Safety (Display Screen) Regulations 1992(as amended) and associated workstations shall be provided and maintained in accordance with legislation.

The Operations Manager must ensure that all users of display screen equipment shall be assessed to determine whether they are habitual users as defined within the Health & Safety (Display Screen) Regulations 1992. Where this assessment proves the employee to be a habitual user a full assessment of the equipment, workstation and environment shall be undertaken by the Operations Manager immediately.

Employees are entitled to an initial free eyesight test at the Councils nominated ophthalmic optician where the employee is identified as a habitual user.

### **C13 Contractors & CDM Regulations**

In accordance with the Construction (Design and Management) Regulations 2007, only suitable, competent and appropriately qualified contractors shall be engaged. Where a contractor is engaged the Officer/Manager responsible for the contract shall:

- a) Ensure that all reasonable practicable steps have been taken to engage a competent contractor. This will require the contractor to provide adequate evidence to demonstrate their suitability and competence, including:
  - i. A current health and safety policy;
  - ii. Relevant risk assessments;
  - iii. Details of relevant training received by their employees;
  - iv. Details of previous similar work/references;
  - v. Details of previous enforcement action;

## vi. Health and safety performance indicators.

- b) Agree, prior to work commencing, Client, Contractor and sub-contractor responsibilities and duties, including work method statements.
- c) All relevant health and safety information available and relevant to the contract is given to the Contractor/Sub-contractor.
- d) Their work shall be monitored to ensure safe working methods in accordance with legislation, contract conditions and agreed work method statements.
- e) Where hazardous substances are to be used the responsible Officer/Manager has ensured that the Contractor has produced a suitable COSHH assessment(s) and has the appropriate hazard data sheets on site.
- f) The responsible Officer/Manager shall ensure that any area in which contractors have worked is safe prior to re-occupation.
- g) That contractor has made suitable welfare arrangements

**C14 Asbestos**

No asbestos containing products shall be used or stored by the Council.

An asbestos register shall be maintained and asbestos installations treated and/or competently removed according to risk.

The Town Clerk shall ensure any exposure details and medical records are maintained.

A competent contractor shall be appointed to carry out all removal, handling and disposal of asbestos except in some circumstances where it is deemed of low risk and sporadic in which case a suitable risk assessment and method statement will be produced and communicated to the relevant employees.

**C15 Grass Cutting – Safe System of work****Preparation**

Employees must not operate a machine unless they have been instructed in its use and have read the instruction books for the machine they are to operate.

Before any motor mower is operated, it must be checked for safety and mechanical faults as follows:-

- a) all wheels are secure;
- b) blade nuts are secure and blades are in good condition;
- c) sufficient oil in the sump of four-stroke engines;
- d) correct petrol/oil mixture for two-stroke engines;
- e) fuel tank full; and
- f) all guards are fitted and in full working order.

Any machine or equipment found to be defective must be reported to management immediately and the defect remedied prior to the machine being used.

**Personal Protective Equipment**

Protective footwear must be worn when using grass-cutting machines

Where excessive noise levels are experienced, ear defenders provided shall be worn.

Face protection should always be worn while using a strimmer or other similar type of equipment.

### **Starting the Engine**

Ensure that brakes are applied (if fitted), drives are in neutral and bystanders are clear of the machines.

Do not run the engine in a building without adequate ventilation.

### **While Using the Machine**

Prior to mowing, the area must be inspected for large items hidden within the grass i.e. large stones, nails etc.

During mowing the operator should continue to watch for objects in the grass that may be ejected from the mower.

Directly prior to using the machine, check again to ensure that all parts are in good working order including security of cutting blades, paying particular attention to tyres, steering, brakes and lights if these are fitted to the machine.

Always observe the Highway Code, both on and off the roads. Keep alert and aware at all times. Remember that some people are deaf or blind and that children and animals can be unpredictable.

Keep travelling speeds low enough for an emergency stop to be effective and safe under all conditions at all times.

Take special care when reversing and ensure that the area behind is clear of obstructions.

Do not transport with the cutting mechanism rotating. Make sure that the cutting units are securely fastened in the transport position.

Remove or avoid obstructions in the area to be cut, thus reducing the possibility of causing injury to yourself and bystanders.

When using rotary machines, you must not walk backwards when mowing - you could slip and pull the machine on top of you. When cutting long grass, walk forwards, pulling the mower behind you.

Do not float mower over gravel paths - it is grass cutter, not a stone thrower.

Do not lift or carry a rotary mower while the engine is running. If it will not float across from one area to another, stop the engine, carry correctly and re-start.

### **Leaving the Driving Position**

Park or place the machine on level ground.

Before leaving the driving position, stop the engine and make sure all moving parts are stationary. Apply brakes if these are fitted and disengage all drives.

Remove the ignition key if this is fitted.

### **Slopes**

Take extra care when working on slopes. Always be aware of ground conditions and undulations in the landscape. Avoid ground conditions that can cause the machine to slide. Always engage safety precautions (roll-bars, seat belts etc)

DO NOT TAKE RISKS when cutting banks with a rotary mower (Flymo type). Always stand on the level part at the top and attach a length of rope to the handle of the mower. Cut by lengthening the rope to lower the mower. When using a rope, be sure to keep it away from moving parts of the engine. Be sure that the rope attachment to the machine is secure.

### **Blocked Cutting Units - Cylinder and Rotary Machines**

On rotary machines you must first disconnect plug lead(s) from sparking plug(s). Release blockages with care. Keep all parts of the body away from the cutting edges. Beware of energy in the drive that can cause rotation when the blockage is released. Keep other people away from the cutting units. Pay special attention when cleaning multi-



cutting unit machines, as the rotation of one cylinder or rotor can cause others to rotate. Always use appropriate PPE when clearing machines.

### **Adjustments and Maintenance**

On rotary machines, you must first disconnect plug lead(s) from sparking plug(s). When adjusting cutting of cylinders, take care not to get hands or feet trapped when rotating the cylinder. Make sure that other people are not touching any cutting unit. Again on multi-cutting unit machines, rotation of one cylinder or rotor can cause the others to rotate.

When refuelling, you must first stop the engine. Do not smoke. Always use a funnel to pour fuel into the tank, from the can. Do not spill fuel on hot components.

You must always clean your mower at the end of the day, particularly around the carburettor controls. A clean machine always works better and lasts longer than a dirty one.

### **Chain Saws & Loppers**

Motor or electric powered chain saws and loppers shall only be used and maintained by operatives who have completed the approved certificated course and have where necessary received the required refresher training.

Use of this machinery shall be in accordance with the safe working manual and no use of the chainsaw or lopper shall take place other than from ground level.

Any tree work requiring working at heights shall be let to a competent contractor.

All necessary protective issue shall be worn by both the operator and any assisting operatives.

Due regard shall be had for the general public and whenever such work is undertaken, suitable isolation of the falling area shall be made prior to commencement of the work.

## **C16 Infectious Diseases and Handling Sharps**

Where it is identified by risk assessment that an activity includes an unacceptable risk of infectious disease then reference should be made to the significant findings.

Employees dealing with syringes and needles MUST follow the safe systems of work that is provided.

### **Dealing with contaminated syringes or other sharps**

Staff may come across both used and unused hypodermic needles whilst carrying out their normal everyday duties. This document sets out the precautions required and the safest method of work to handle and dispose of these needles safely.

### **Hazard**

When dealing with hypodermic needles the greatest danger is that of a puncture wound and the possibility of a subsequent infection.

The greatest infection risk associated with a puncture wound is Hepatitis B virus. However, this risk is considered low, as the virus will only survive outside of the body for a short period of time. At room temperature this may, however, be up to seven days.

The risk of a HIV infection from a needle stick injury is considerable less than Hepatitis B. The HIV virus is extremely fragile and cannot survive outside of the body. Once exposed to air the virus will not survive. Puncture wounds may also cause Thrombosis.

### **Precautions**

The Operations Manager shall consider the potential of employees unexpectedly encountering a needle and produce a suitable risk assessment where there is such a risk.

Only staff that has been given the correct equipment and training should handle hypodermic needles. This equipment should include a suitable pair of gloves, a sharps bin and a pair of tongs/tweezers.

Staff should always remain vigilant when working in "risk areas" exercising extreme caution during the handling of needles.

When carrying plastic sacks do not allow the bag to brush against the body as it may contain an undetected needle.

#### **Handling sharps - Safe system of work.**

Should you be required to handle needles or other contaminated sharps, it is essential that you proceed with extreme caution.

Gloves must always be worn during the handling of needles.

Only use litter pickers to pick up syringes and needles.

The needle should then be placed directly into a sharps container.

Operatives should return their full sharps containers to their line manager who will replace it with a new one and suitably dispose of the full container.

Should you receive any type of cut or puncture wound during this operation encourage the wound to bleed for a short period. Where possible the wound should be held under cold running water for several minutes and then protected with a sterile dressing. **DO NOT** suck the wound. The injured person and if possible the offending item should immediately be taken to hospital.

All needle stick injuries must be reported to management immediately.

### **C17 Open spaces**

The Council will ensure that all open spaces managed or owned by it are maintained to ensure so far as is reasonably practicable the safety of all users. This will include all open water, footpaths, trees and furniture fitted in these areas

The Operations Manager shall implement provision and control measures for ensuring the above.

### **C18 Noise**

Suitable and appropriate measures, in accordance with the Control of Noise at Work Regulations 2005 and codes of practice, shall be taken to ensure the hearing of all employees and visitors.

The Operations Manager shall ensure that a suitable noise risk assessment is in place for all activities that produce or may develop noise levels that exceed the first action level 80d(B)A as defined within the Control of Noise at Work Regulations 2005.

Where this assessment proves the noise levels exceed the first action level, 80d(B)A, the Operations Manager will ensure that:

- a) Hearing protection is made available,
- b) Exposed employees are provided with appropriate training and information is provided.

Where the assessment exceeds the second action level, 85 d(B)A the Operations Manager shall ensure that:

- a) Hearing protection is provided and is worn
- b) Warning signs are posted within the noise area
- c) Exposed employees are provided with appropriate training and information is provided
- d) Exposed staff receive audiometric testing

### **C19 Hand-Arm Vibration**

The Council recognises that there is a need to reduce prolonged and regular use of high-level vibration hand-held tools and that effective controls are required to minimize the risk of injury to employees. Whilst accepting the need to continue and improve delivery of services to the community, the Council agrees that all reasonably practicable steps be taken to achieve this minimisation.

The Council has a statutory duty to minimise the risk of exposure to its employees.

## **C20 Young Persons – (under 18 years old)**

The Operations Manager shall carry out a suitable risk assessment for all young persons when either employed by the Council or when on work experience.

The assessment must:

- a) Take into account their inexperience, lack of awareness of existing or potential risks, and immaturity
- b) Address specific factors in the risk assessment
- c) Provide information to parents of school age children about the risk and the control measures introduced
- d) Take account of the risk assessment in determining whether the young person should be prohibited from certain activities

## **C21 Use of Mobile Phones whilst driving**

Staff who are required to carry mobile phones to ensure their safety and to assist with their service provision **must** not answer any call or text whilst their vehicle is in motion. Prior to answering any call they shall ensure that their vehicle is stationary and parked in a safe location. Under **NO** circumstances shall they make or receive any call, on either Council or privately owned mobiles whilst driving. Employees are advised to ensure that when driving the phone's messaging facility is activated. Calls should then be checked and returned only when it is deemed safe to do so.

## **C 22 Travel and Transport**

Integral to service delivery of the Council is the need for travel of employees and transportation of goods and materials. Such activity will include adequate consideration of health & safety to ensure safety of employees and non-employees.

The Line Manager is responsible for ensuring the vehicle fleet is serviced as required and maintained in a safe and road worthy manner.

Drivers of the vehicles are responsible for checking the vehicle daily and reporting any faults to management or directly to the Town Clerk.

## **C23 Work on or Near Highways**

The Town Clerk shall ensure that a suitable and sufficient risk assessment specific to working on or near highways has been completed if any work activity is to be on the highway or within 450mm of the highway.

All work on highways will be in accordance with the Department for Transport's Traffic Signs Manual Chapter 8 – Traffic safety measures and signs for road works and temporary situations

## **C24 Working at Heights**

The Work at Height Regulations 2005 applies to all work at height where there is a risk of a fall liable to cause personal injury. They place duties on employers, the self-employed, and any person who controls the work of others (e.g. facilities managers or building owners who may contract others to work at height) to the extent they control the work.

The Regulations set out a simple hierarchy for managing and selecting equipment for work at height.

The Regulations require managers to ensure:

- a) all work at height is properly planned and organized;
- b) all work at height takes account of weather conditions that could endanger health and safety;
- c) those involved in work at height are trained and competent;
- d) the place where work at height is done is safe;
- e) equipment for work at height is appropriately inspected;
- f) the risks from fragile surfaces are properly controlled; and
- g) The risks from falling objects are properly controlled.
- h) Where they cannot eliminate the risk of a fall, use work equipment or other measures to minimise the distance and consequences of a fall should one occur.
- i) use work equipment or other measures to prevent falls where they cannot avoid working at height; and
- j) avoid work at height where they can.

The Town Clerk and/or persons controlling work at heights or contractors are responsible for ensuring the above duties are complied with.

## **C25 Manual Handling**

Gainsborough Town Council shall ensure that all manual handling activities with a significant risk of injury are suitably assessed in accordance with the Manual Handling Operations Regulations 1992. This assessment shall be carried out, by the line manager, using competent assistance where necessary and control measures implemented.

## **C26 Electricity**

Appropriate inspection and testing, in accordance with legislation and codes of practice, shall be carried out on all electrical installations and portable electrical equipment owned by the Council. The Council shall also ensure that only electrical equipment that carries a valid certificate of test is allowed to be brought into Council premises and is suitable for the environment in which it is to be used.

Management are responsible for ensuring the testing of all electrical equipment owned by the Council and for ensuring that all equipment brought on site by third parties has been suitably tested.

Management shall ensure that only competent persons shall be authorised to install, repair, and maintain electrical installations and/or equipment. Specific and detailed regard shall be had to the installation of temporary and/or external installations.

## **C27 Lone Working**

Where lone working is required, the Operations Manager shall ensure that a suitable risk assessment is carried out to establish the hazards associated with the task and the necessary control measures required to eliminate the risk, or reduce it to a reasonably practicable level. The Lone Working Policy must be adhered to at all times.

### **C28 Music and similar events**

The Officer responsible shall ensure that where necessary the following are implemented for all indoor or outdoor events organised or managed by the Council:

- a) Hazards are identified prior to the event and risks assessment produced to control/minimise them.
- b) Town Council responsibilities are formally agreed.
- c) Inspections take place prior to, during and directly after the event.
- d) Liaison takes place with the appropriate enforcement bodies.
- e) All events are managed in accordance with the Health & Safety Executive's Guidance HSG 195 "The event safety guide – a guide to health, safety and welfare at music and similar events"

### **C29 Cemetery – Headstones and Monuments**

The Council will ensure, so far as is reasonable practicable, the stability/safety of all headstones and monuments located within the cemetery's that are under their control.

Inspection and monitoring of headstones and monuments will include:

- a) Weekly informal observational checks by staff on site to ensure no obvious instability or vandalism.
- b) Annual visual inspection/hand test on 25% of the headstones in the Cemetery. All to be checked once every 4 years.
- c) Unstable headstones reported to the owners of the burial rights for remedial works.

### **C30 Legionella**

The Council is required to consider the risks from legionella that may affect either its employees or members of the public and take suitable precautions to protect them all. As an employer and as an organisation in control of premises (e.g. a landlord), we must:

- a) **Identify** and assess sources of risk;
- b) **Prepare** a management plan for preventing or controlling the risk at each water system;
- c) **Implement** a suitable management programme and appoint a person to be responsible, sometimes referred to as the 'responsible person'
- d) **Keep records** and check that what has been done is effective

### **C31 Joint Working Arrangements with other Organisations**

The Council, when sharing a workplace (whether on a temporary or permanent basis) shall co-operate with the other employers (and the self employed) to ensure control of health and safety risks both on and off site. Coordination of arrangements and co-operation with other co-ordinators shall be provided as necessary.

This will require where necessary for management to:

- a) Liaise with the other employer prior to commencement of work to identify and assess the likely hazards associated with the activity
- b) Ensure existing risk assessments are suitable and sufficient
- c) Produce joint safe systems of work
- d) Determine specific responsibilities and where required appoint a person to control the activity

- e) Ensure joint legal requirements are fulfilled – i.e. fire precautions
- f) Provide details to other employers prior to commencement of works of known hazards on site and site specific rules and procedures

### **C32 Health of the Workforce**

The Council will provide adequate Occupational Health provision, in accordance with legislation and/or risk assessments, to identify and control occupational related health risks.

Employees are required to notify their manager of any condition or illness that may affect their health and safety, or that of others, by their acts and or omissions whilst carrying out their duties.

On notification by the employee of a relevant ill health condition the Operations Manager shall produce an individual risk assessment which takes into account the individual's health condition and if it is likely that it may affect their own health and safety or that of others. This assessment will identify the specific hazards relevant; the level of risk; who is at risk and what control measures are required to manage the risk at an acceptable level. Consideration on whether the individual should be referred to Occupational Health must be given during this process. See section C1.

Following ill health, and prior to an employee returning back to their full duties, the Town Clerk shall consider the need for a formal risk assessment during the back to work interview. This should consider whether the individual is suitable to resume full duties and if so what additional controls are required until the individual is fully fit to resume all their duties.

### **C33 Stress**

It is the policy of the Council to ensure, so far as is reasonably practicable, that no employee is subjected to a level of stress due to work, which is detrimental to his or her health. The Council aims to create an environment where workplace stress can be dealt with openly and fairly and expects all managers/supervisors to apply this policy and guidance in a consistent and timely manner. The Council also commits itself to investigating all claims of ill health due to workplace stress to ensure appropriate action is taken to prevent any recurrence of the situation.

The Council will take seriously and investigate report(s) from employees about causes of workplace stress and will take preventative and protective measures to reduce the risk.

Workplace stress is recognised as a Health and Safety issue. The main legislation, which is relevant to this subject, is the Management of Health and Safety at Work Regulations 1999 and the Health and Safety at Work Act 1974, Sections 2 and 7.

### **C34 Pregnant workers**

When advised of pregnancy, line managers/supervisors shall immediately notify the Operations Manager who will arrange for a risk assessment of the pregnant worker's post to be carried out as soon as possible. This risk assessment shall be carried out by the Operations Manager in conjunction with the pregnant worker and their immediate manager/supervisor.

### **C 35 Monitoring**

Supervisors, with the assistance of the Operations Manager, shall carry out adequate routine inspections of their workplace to ensure the health, safety and welfare of all employees and visitors.

**C36 Audit, Review and Annual Performance Reporting**

The Town Clerk shall ensure that a Health and Safety Audit is completed on an annual basis. Contained within the Council's annual report shall be a section summarising health & safety related incidents with a comparison against previous years.

A review of this policy shall be made at least every 2 years and at other times when activities, staff structure and accidents/incidents occur or when there are significant changes to legislation.







# Gainsborough

## TOWN COUNCIL

### APPENDIX 2

### EQUALITY AND DIVERSITY

#### VISION STATEMENT

Gainsborough Town Council is committed to promoting equal opportunities in Gainsborough. The Council values diversity and encourages fairness and justice. The Council wants equal chances for everyone in Gainsborough to work, learn and live free from discrimination and victimisation. The Council will combat discrimination throughout the organisation and will use its position of influence in the Town, wherever possible, to help overcome discriminatory barriers.

#### **In seeking to achieve this vision, the Council will strive to:**

-Encourage equality of opportunity for all people and actively promote good relations.

-Eliminate any conditions, procedures and individual behaviour that can lead to discrimination even where there was no intent to discriminate, with particular regard to:

#### **Race; Gender; Disability; Sexuality; Age; Religion and Belief.**

-Recognise that individuals may experience disadvantage on more than one level.

-Offer services fairly to all people, ensuring that anyone in contact with the Council is treated with respect, making provision for those groups within the community whose needs and expectations are less well met.

-Comply with all legislation dealing with discrimination and the promotion of equality, following the codes of practice issued to support this legislation.

-Ensure all employment policies procedures, guidelines and circulars reflect and reinforce the Council's commitment to equality.

-Ensure mechanisms are in place for responding to complaints of discrimination and harassment from employees and the public.

-Encourage disadvantaged groups and individuals to participate in the community.

-Make this policy known to all Councillors, employees, job applicants, local citizens and partner organisations.

-Operate procurement practices and partnership arrangements that ensure others commissioned to provide services for the Council to have similar policies that cover equal opportunities.

#### **Supporting Guidelines**

The Equal Opportunities Policy is reinforced by guidelines specifically relating to accessibility and the Council's role as an employer.

## **Equal Opportunities - Accessibility Guidelines**

Gainsborough Town Council exists to maximise the well being of the people of Gainsborough. In pursuing this aim, it will strive for a just society which gives everyone equality.

### **Vision Statement:**

The Council's services must be accessible to and appropriate for all the members of the community who might wish or need to use them.

The Council will take all reasonable steps to ensure its employment arrangements are accessible.

### **In seeking to achieve this vision, the Council will strive to:**

-Facilitate physical access into the buildings it controls. The Council will prioritise access into as many of its existing public buildings as possible. If unable to, it will provide a reasonable alternative method of making the service in question available to all groups.

-Monitor and evaluate accessibility in order to make improvements. In particular using consultation to understand the needs and expectations of service users, potential users and the workforce.

-Use communication methods that are appropriate and sensitive.

-Publicise the variety of ways in which services can be accessed.

-Improve the accessibility of employment arrangements or physical features of the workplace to meet the needs of staff and applicants with disabilities or other needs.

-Work with partner organisations and agencies delivering services on behalf of the Council, to enhance access to services across Gainsborough.

-Explore multi-channel access to information and services that extend choice and convenience to the public.

## **Employment Training and Organisational Development**

### **Guidelines**

#### **Statement of Principles**

Gainsborough Town Council is committed to ensuring that all its employment policies, procedures, guidelines and circulars will reflect and reinforce the Councils' commitment to equality.

#### **The Council will through its policies and training seek to create a:**

-Prejudice-free and supportive working environment.

-Workforce which reflects the diversity of the local population, ensuring that people from all sections of Gainsborough's local communities have equality of opportunity to obtain employment in all areas and levels of the Council.

#### **Recruitment and Selection**

##### **The Council will strive to:**

-Ensure that all employees are recruited and promoted on the basis of ability and other objective relevant criteria.

-Work towards ensuring that through recruitment that its workforce better represents the community it serves.

-Be committed to equality of opportunity for all people and protect against all forms of discrimination, with a particular regard to:

### **Gender; Race; Disability; Religious and Belief; Age; Sexuality**

-Ensure that it communicates job opportunities to all sections of the community. We will scrutinise the recruitment process to ensure that we do not discriminate or discourage applications from any section of the community.

-Ensure that all its employees and members who are part of the recruitment selection panel are trained on equalities issues.

-Work with disadvantaged sections of the community in support of recruitment

-Use appropriate legislation as a framework for action to support the recruitment process in a positive way.

-Collect and use recruitment information to support a fair and effective recruitment process.

### **Training and Organisational Development**

#### **The Council will:**

-Seek to ensure that all employees are developed by the provision of appropriate and accessible learning opportunities in line with organisational needs.

-Provide training that complies with the Councils Equalities Policies.

-Include equalities training as part of its management development programme.

-Provide equalities awareness training as part of its corporate training and organisational development programme.

### **Monitoring and Evaluation**

#### **The Council will:**

Continually monitor its workforce profile against the community profile to work towards a workforce that is reflective of the community it serves.

Specifically monitor recruitment, promotion, and training opportunities and take up of training, pay, grievance, disciplinary and exit from employment.

Monitor its performance against national best value performance indicators in respect of all equalities issues.

Receive an annual report from the Clerk on progress against targets that have been set.

Continue to review its monitoring processes to comply with changes in legislation.

### **Equal Opportunities policy - Supporting statements**

**Race Equality:** Gainsborough Town Council is committed to promoting a cohesive society and eliminating unlawful racial discrimination. The Authority will promote equality of opportunity and good relations between people of different racial, national and ethnic groups.

**Disability Equality:** Gainsborough Town Council will not treat a person less favourably directly or indirectly on the basis of his/her disability and will promote equality of opportunity for people with disabilities.

The Council will also make all reasonable adjustments within its capabilities and resources to help accommodate Employees whose work is affected by disability issues, including:

- The offer of alternative work
- Changing an Employee's work activities
- Altering an Employee's work environment to improve accessibility.

**Gender Equality:** Gainsborough Town Council will not treat a person less favourably directly or indirectly due to gender or marital status.

**Equality of Employment:** Gainsborough Town Council will through its policies and training seek to create:

A prejudice free and supportive working environment;

A workforce which reflects the diversity of the local population ensuring that people from all sections of Gainsborough's local community have equality of opportunity to obtain employment in all areas and levels of the Council. This will include working with disadvantaged sections of the community to support and encourage recruitment. (See Employment and Training Guidelines).

**Accessibility:** The Council's services must be accessible and appropriate for all members of the community who might wish or need to use them. The Council will ensure its employment arrangements are accessible. (See Accessibility Guidelines).

**Sexual Orientation:** Gainsborough Town Council will not discriminate directly or indirectly on the grounds of sexual orientation.

**Gender Reassignment:** Gainsborough Town Council will not discriminate directly or indirectly on the grounds of gender reassignment.

**Religion and Belief:** Gainsborough Town Council will not discriminate directly or indirectly on the grounds of religion or belief.

(This is defined as any religion, religious belief or similar philosophical belief. It excludes philosophical or political beliefs unless those beliefs are similar to a religious belief, e.g. the belief has a profound affect on the person's way of life.)

**Age:** A person's age will not lead to unfair discrimination.

### **Policy Review**

This policy will be reviewed annually by the Management and Finance Committee.



# Gainsborough

## TOWN COUNCIL

### APPENDIX 3

### NO SMOKING POLICY

#### INTRODUCTION

Second-hand smoke (also known as environmental tobacco smoke or 'passive smoking'), has been shown to be a danger to the health of non-smokers. At work, it is estimated that it results in 600 premature deaths – three times the number of people who die as a result of industrial injuries or accidents. Restrictions on smoking in public places and work places are necessary to protect non smokers.

In addition Gainsborough Town Council is carrying out its duty to comply with Health and Safety legislation including:-

The Health and Safety at Work Act 1974 to: 'Ensure, so far as is reasonably practicable, the health, safety and welfare of all employees...

Employers must also 'provide and maintain a safe working environment which, so far as is reasonably practicable, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.

Management of Health and Safety at Work Regulations 1999 to: 'Assess risks to health in the workplace'

#### Objectives:

To comply with relevant health and safety legislation.

Provide a healthy and comfortable working environment.

To encourage and maintain a healthy workforce.

To reduce conflict between smokers and non-smokers.

To enable the Council to fulfill its legal and moral obligations with regard to the health, safety and welfare of its employees.

Acknowledge that some smokers may experience difficulties and to provide support where possible.

#### The policy is applicable to:

**Members of the Council**

**All Visitors**

**Contractors**

**Staff**

#### THE POLICY

Smoking is not permitted in any part of Gainsborough Town Council managed / operational buildings, entrances and exits, workplace grounds and car parks, at any time, by Council members, Council employees, visitors and contractors while on Council business. The Council will however allocate 'smoking areas' for employees that smoke however employees may only smoke during approved work breaks.

**Premises include:**

All land and buildings leased/owned/hired by Gainsborough Town Council.

Car Parks where vehicles are parked for business use.

Such other places of work as may be used from time to time e.g. elections, exhibitions, playing fields, play areas etc

Smoking is not permitted in any part of the buildings including lifts, corridors, stairways or wells, toilets, meeting or staff rooms.

Council employees will not be allowed to smoke within private residences when on council business.

Employees working in the community may choose to state in advance of home visits that they wish to carry out their duties in a smoke free environment

Advertising or promotion of tobacco products or companies is not permitted on any Gainsborough Town Council establishment or in any of its publications.

**Vehicles**

Smoking will not be allowed within any vehicle owned/leased/hired by the Council.

Employees should not smoke in their own vehicles when carrying a passenger on Council duty.

**Visitors**

All visitors, contractors and deliverers are required to abide by the no-smoking policy.

The Council recognises that visitors to Parks and Sports Grounds may smoke on site despite no smoking signs appearing at the entrance to some sites. Unless staff members receive a specific complaint from a member of the public, staff are not expected to take any enforcement action against visitors who ignore the no smoking policy in external areas. Where complaints are received staff are not expected to enter into any confrontation with a member of the public if a polite request is not met favourably.

**Responsibilities**

Managers are to:

Ensure that all staff working in their area of responsibility is made aware of and comply with the Gainsborough Town Council No Smoking Policy.

Ensure that all members of the public, visitors, contractors who enter into their area of responsibility are aware of the Gainsborough Town Council No Smoking Policy

Ensure that reference to the No Smoking Policy is made on all job vacancies externally advertised.

Ensure that all members of staff under their responsibility who smoke and wish to stop receive appropriate advice and support on smoking cessation. In addition, those who are experiencing difficulties in stopping or adhering to this policy should be given the appropriate level of support and professional guidance.

Staff Members are to:

Ensure familiarity with and adherence to this policy.

Politely remind the general public and visitors to Gainsborough Town Council premises of this No Smoking Policy at appropriate times.

### **Support for Smokers**

Support for giving up smoking is available FREE from your local Phoenix stop smoking service, through your GP or the National 'Don't Give Up Giving Up' free-phone helpline 0800 169 0 169. Managers should ensure that staff having difficulties adhering to the policy are provided with the appropriate level of support and/or professional assistance.

### **Disciplinary Action**

Any member of staff who disregards the policy may be subject to disciplinary action.

### **Monitoring and Review**

This policy will be reviewed annually by the Management and Finance Committee, or more frequently if required, to ensure that it continues to meet the aims of Gainsborough Town Council.







# Gainsborough

## TOWN COUNCIL

### APPENDIX 4

## BULLYING AND HARASSMENT POLICY

### Introduction

Many people in our society are victimised and harassed, abused, bullied & intimidated as a result of their race, creed, colour, nationality, sex, disability or gender re-assignment.

Harassment, abuse, bullying & intimidation can take many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, threatening behaviour and actual physical abuse. Whatever form it takes, harassment, abuse, bullying & intimidation is always serious and is totally unacceptable.

The Council recognises that personal harassment, abuse, bullying & intimidation can exist in the workplace as well as outside and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

### Policy

The Council deplors all forms of personal harassment, abuse, bullying & intimidation deriving from whatever source and seek to ensure that the working environment is sympathetic to all the Council's employees.

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

The Council recognises that it has a duty to implement this policy and all employees and councillors are expected to comply with it. Failure to comply by whosoever will result in the most vigorous action, including reporting the person to the appropriate agency, or taking legal action against the offender(s).

### Examples of harassment, bullying & intimidation

Harassment, abuse, bullying & intimidation can take many forms and members of staff or councillors may not always realise that their behaviour constitutes harassment. Harassment, abuse, bullying & intimidation is unwanted behaviour by one member of staff towards another, or a councillor(s) towards a member of staff, and examples of harassment, abuse, bullying & intimidation include:

- Insensitive jokes and pranks
- Lewd or abusive comments about appearance
- Deliberate exclusion from conversations
- Displaying of abusive or offensive writing or material
- Unwelcome touching
- Remarks concerning race, religion, gender, sexual-orientation, disability

### **Abusive, Threatening or Intimidating or Insulting Words or Behaviour. Complaining about Personal Harassment**

### **Informal Complaint**

The Council recognises that complaints of harassment, abuse, bullying & intimidation and particularly of sexual harassment can sometimes be of a sensitive nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure.

In these circumstances you are encouraged to raise such issues with a senior member of staff of your choice, whether or not that person has a direct supervisory responsibility for you.

If you are the victim of minor harassment, abuse, bullying & intimidation you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop.

If you feel unable to do this verbally, then you should hand a written request to the harasser - or the senior member of staff noted above, who will assist you in the matter.

### **Formal Complaint**

Where the informal approach fails or if the harassment, abuse, bullying & intimidation are more serious, you should bring the matter to the attention of the most senior appropriate person as a formal written complaint and again, the senior member of staff noted above will assist you in this. You should keep diary notes of the cause of your complaint so that the written complaint can include:-

- The name of the alleged harasser, abuser, bully
- The nature of the alleged harassment, abuse, bullying & intimidation
- The dates and times when the alleged incident(s) occurred
- The names of any witnesses
- Any action already taken by you to stop the alleged incident(s)

On receipt of a formal complaint the Council will take action to separate you from the alleged harasser, abuser, and bully to enable an uninterrupted investigation to take place. This may involve a temporary transfer of your duties or exceptional leave with full salary until the matter has been resolved.

The person dealing with the complaint will carry out a thorough investigation in accordance with the Council's disciplinary procedure. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

When the investigation has been concluded a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to you and to the alleged harasser, abuser, and bully. If you or the alleged harasser, abuser, bully are dissatisfied with the draft report or with the proposed decision this should be raised with the investigator within five working days of receiving the draft. Any points of concern will be considered before the final report is sent, in writing, to you and the alleged harasser.

### **General notes about Harassment, Abuse, Bullying & Intimidation**

If the report concludes that the allegation is well founded, the person(s) complained of will be subject to disciplinary action in accordance with the Council's internal disciplinary procedure. If the matter is of such a serious nature that the powers of the Council are deemed inadequate to deal with the matter satisfactorily then the Council will take legal advice.

An employee who receives a formal warning or who is dismissed for harassment may appeal against the disciplinary action by using our disciplinary appeal procedure.

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

If the matter involves a councillor the Council will use its internal complaints procedure to deal with the matter, or if the matter is of such a serious nature that the powers of the Council are deemed inadequate to deal with the

matter satisfactorily then the Council will take legal advice.

**Policy Review**

The Bullying and Harassment Policy will be reviewed annually by the Personnel Committee.





# Gainsborough

## TOWN COUNCIL

### APPENDIX 5

## INTERNET POLICY AND PROCEDURE

### INTRODUCTION

The use of the Internet is now an essential and commonplace tool for most Employees. Those who use the internet have a responsibility to do so in a professional manner. To assist with this we are issuing the following guidelines which employees are asked to read and comply with:

The Council reserves the right to access and monitor any or all areas of any computer and computer software systems which it owns (including email boxes and messages and telephone calls) from time to time for business reasons and training purposes. You should not therefore assume that any information held on the computer is private and confidential to you.

#### Email

Your email address can receive emails from anyone connected to the Internet. Used correctly it is a facility that is of assistance to Employees. Inappropriate use however may cause many problems including distractions, distress to others, time wasting and legal claims. This procedure sets out the Council's position on the correct use of the E-Mail and the Internet.

You should ensure that your correspondents know that they should not send you "humorous" or illegal attachments such as pictures or executable programs. Personal emails should be dealt with outside of normal office hours and all external non-work related email messages should be deleted on receipt. Anyone found with offensive or pornographic material on his or her computer will be subject to investigation, which could result in disciplinary action and dismissal for gross misconduct.

If you receive an email from an unknown source, or "junk" email you should delete this from your system immediately without opening it as it may contain a virus.

Emails may contain file attachments. These should not be opened unless they are received from a trusted source, i.e. from another known Council Employee or representative. If in doubt ask the Clerk.

Emails to customers, suppliers and other business contacts should be restricted to Council business. Confidential information about or relating to the business of the Council, its customers, suppliers or contacts should not be transmitted outside the Council via email unless done so in the course of business. You should ensure there is no infringement of copyright when adding attachments to emails. Confidential information should not be left on display on an unattended workstation.

You should be aware that deleted emails will remain held on the system for some time and will be accessible from back up if required for investigation of complaints of systems abuse.

You must not distribute sensitive commercial data concerning the Council to competitive sources. Doing so may result in disciplinary action leading to your dismissal without notice for gross misconduct.

#### Guidance for appropriate use

Email is a non-secure medium and care should be taken when composing, sending and storing messages.

Email should be regarded in the same way as any other business communication and should be treated as a Council record. You should adopt a style and content for email, in particular those sent to external recipients that present a professional image. It is recommended that you adopt the same standards for email as for letters and memos, although the style may be more informal.

Confidential information about or relating to the business of the Council, its customers, prospects, suppliers or contacts should not be transmitted outside the Council via email unless done so in the course of business and sufficient steps are taken to safeguard security.

Employees must take reasonable steps to guard against unauthorised access to, alteration, accidental loss, disclosure or destruction of data.

### **Inappropriate use**

You must not send internally or externally or obtain material (whether in the form of text or images) which is libellous or defamatory, illegal, obscene, sexually explicit, bullying, discriminatory or disparaging of others particularly in respect of their race, national origins, sex, sexual orientation, age, disability, religious or political beliefs.

You are reminded that material that you find acceptable might be offensive to others. It is recommended that you take care and give sufficient thought to what you send. Messages can be misconstrued and should not become a substitute for "one to one" conversations. You should not send humorous material to business contacts. It can frequently be misunderstood or cause offence. In particular, the Council recommends that criticisms or complaints are not dealt with by email.

Examples of inappropriate use include, but are not limited to:

1. Sending, receiving, downloading or displaying or disseminating material that insults causes offence or harasses others.
2. Accessing pornographic, racist or other inappropriate or unlawful material.
3. Engaging in on-line chat rooms, on-line gambling sites, social networking sites or blogging.
4. Forwarding electronic chain letters or similar material.
5. Downloading or disseminating copyright materials.
6. Transmitting confidential information about the Council or its customers externally and not in the course of the Council's business.
7. Downloading or playing computer games.
8. Copying or downloading software.

Serious instances of inappropriate use may be considered gross misconduct and lead to your dismissal.

### **Internet access**

Internet access is granted for business reasons only during working hours. Usage is limited to work related activities. The availability and variety of information on the Internet has meant that it can be used to obtain material considered to be offensive. Anyone found to have used the Internet to access and/or distribute any kind of offensive material, or non-related employment issues, are liable to disciplinary action which could lead to dismissal.

Under no circumstances must users download files without the consent of the Clerk.

If you wish to use the Internet out of office hours for personal purposes, please contact the Clerk who will be able to grant you access and explain how to use this facility, if appropriate.

Anyone believed to have been visiting pornographic sites, downloading or circulating pornographic material will be subject to disciplinary action. Offences of this nature may be considered gross misconduct and lead to your dismissal, and if necessary, the police will be informed.

Please note that the main servers maintain a record of Internet access by user and these will be monitored as necessary and results forwarded to the Clerk and the police, if appropriate.

### **IT Virus Protection Procedures**

In order to prevent introduction of virus contamination into the computer software and computer hardware system, the following procedures must be observed:

- Unauthorised software must not be used.
- All software must be virus checked using standard testing procedures before being used.

### **Unauthorised Use of Internet, Email and Social Networking Sites**

- 1 Unauthorised or inappropriate use of the Internet, Email and Social Networking Sites may result in formal disciplinary action which could include dismissal.

- 2 The Council will not tolerate the use of E-Mail, Internet or any Social Networking Site by Employees for unofficial or inappropriate purposes, including:-
- i) Any messages produced by Employees, either during or outside of normal working hours, that could constitute bullying, harassment or other detriment to colleagues, our business or anyone associated with the business.
  - ii) Personal use during working hours (e.g. social invitations, personal messages, jokes, cartoons, chain letters or other private matters)
  - iii) On-line gambling.
  - iv) Accessing or transmitting pornography.
  - v) Transmitting copyright information and/or any software available to the user.
  - vi) Posting confidential information about other Employees, the Council or its customers or suppliers.
  - vii) Posting any comments, opinions, views or remarks, either during or outside of normal working hours, which could be considered detrimental to the Council, its Employees, customers, suppliers or anyone else connected to the business, or bring the Council into disrepute.

### **POLICY REVIEW**

The Internet Usage Policy will be reviewed by the Personnel Committee on an annual basis.

**Please note, breaching these procedures will constitute an act of Gross Misconduct. Consequently anyone who is accused of breaching these procedures will be subjected to a Formal Disciplinary Investigation and may be dismissed if found guilty.**







# Gainsborough

## TOWN COUNCIL

### APPENDIX 6

## GRIEVANCES & DISCIPLINE POLICY AND PROCEDURES

### Gross Misconduct

Acts of Gross Misconduct, if proven after an appropriate investigation (*including searches of bags, coats and other personal effects, as well as cars, vehicles and any appropriate Company property*) and a Disciplinary Hearing, will result in Dismissal.

Employees accused of Gross Misconduct will be suspended on full pay and receive a written invitation to a Formal Disciplinary Hearing, giving them details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the Council or trade union representative. The letter will provide a minimum of 2 working days prior notice to the meeting.

The Council recognises the following as acts of Gross Misconduct.

- 1 Theft.
- 2 Abusive or threatening behaviour of any nature.
- 3 Being under the influence of alcohol or drugs.
- 4 Dishonesty in dealings with management.
- 5 Sexist, racist or any other behaviour against an individual, which could be classed as creating a hostile, intimidating or threatening environment.
- 6 Breach of confidentiality.
- 7 Failing to carry out reasonable management instructions.
- 8 Fighting and acts of aggression.
- 9 Deliberately damaging Council property.
- 10 Deliberate breaches of Council Health and Safety procedures.
- 11 Unauthorised access to Council computer files, software or any other such breach of confidentiality
- 12 Receipt of any gift, hospitality or gratuity by a Council worker without immediately informing and getting approval from the Council's management.
- 13 Offering gifts of any sort to attempt to obtain an advantage or benefit from either the Council's management or any third party connected to the Council without receiving prior approval from the Council's management.

Employees who have been dismissed for acts of Gross Misconduct do have a right to appeal against their dismissal.

Appeals should be submitted within a reasonable timescale following the dismissal, and addressed to the Chair of the Council. A reasonable timescale would normally be no longer than a week following the dismissal.

Employees submitting an appeal must make it clear that they are appealing against the decision to dismiss them, and set out the reasons for their appeal.

Once the Council has received notice of the Employee's decision to Appeal, they will follow the Appeal Procedure detailed below.

### Informal Grievances and Discipline

If a member of staff feels that they are unhappy with an element of their employment with the Council they should initially discuss the matter with their line manager on an informal basis.

If the Employee feels uncomfortable about talking to the Clerk about their concerns, they should approach the Chair of the Council.

### **Employee Conduct / Performance**

Should the Chair / Clerk be unhappy with either the conduct or performance of an Employee, they will initially discuss their concerns with the Employee on an informal basis.

The purpose of this meeting will be to guide and support the Employee to help them address the problem and perform to a standard acceptable to management. For this reason the Chair / Clerk will take notes during this meeting, decide what action should result from the meeting and ask the Employee to sign the notes.

Only the Chair / Clerk and Employee should attend this meeting. There will be no entitlement to be accompanied.

### **Mediation**

In the event that an Employee is unhappy with the outcome of the Informal Grievance Procedure, or either party do not feel that performance / conduct issues are being addressed effectively, either an Employee or Chair / Clerk can request that the matter be subjected to mediation.

This will involve the use of a third party Mediator. In its simplest form, Mediation will involve the Mediator talking to either party individually, to listen to their side of the issue. If the Mediator feels that a resolution to the problem is possible, a meeting will be arranged between all parties at which the Mediator will set out their assessment of the issues and invite both parties to reach their own resolution.

The resultant action plan should have the agreement and support of both parties, be set out in writing and be signed by all involved in the Mediation process.

### **Formal Grievances**

In the case of Grievances not being fully resolved at the initial informal stage, a formal written approach is required to either the Clerk or the Chair of the Personnel Committee. As a consequence a formal meeting will be held to address the matter, within seven days of receiving the Employee's letter.

At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the organisation, or Trade Union representative if they hold such membership. Employees will be informed in writing of the outcome of the meeting within seven days.

The whole procedure should take no more than twenty eight days, making allowances for holidays, sickness, etc.

### **Formal Discipline**

If an issue regarding an Employee's conduct, behaviour or performance isn't fully addressed by informal discussions, the organisation will pursue the matter through its formal Disciplinary Procedures. Typical examples of areas of concern may be poor performance, unacceptable and unexplained absenteeism, poor conduct and behaviour at work.

This is a four step procedure, which increases in the severity of its outcome if the issue isn't resolved at the previous step. Each step involves a formal meeting between the affected Employee and the Clerk and / or the Chair of the Personnel Committee (or their deputy), at which the Employee will be given every opportunity to put their side of the issue. Meetings will be conducted as soon as reasonably possible after the incident(s) which are being investigated to ensure that facts and witness statements are clear and up to date.

If the allegation of misconduct is proven, the meeting may result in the following action being taken by the organisation against the Employee:

<b>STEP No</b>	<b>ACTION TAKEN</b>	<b>LIVE PERIOD</b>	<b>MANAGER RESPONSIBLE</b>
1	Formal Oral Warning	Six months.	Chair of Personnel / Clerk
2	Formal Written Warning	Six months	Chair of Personnel / Clerk
3	Final Written Warning	Twelve months	Chair of Personnel / Clerk
4	Termination of Contract of Employment	N/A	Formal Disciplinary Panel

Particularly severe acts of indiscipline may result in the organisation bypassing Steps 1 and/or 2.

Employees will be informed by letter that they are required to attend a formal disciplinary meeting. This letter will include details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the organisation, or Trade Union representative if they hold such membership.

### **Appeal Procedure**

Employees have the right to appeal against a decision made at any formal disciplinary step. Appeals should be made to the Chair of the Council in writing, and submitted ideally within seven working days of the disciplinary meeting having occurred. Following receipt of the letter of Appeal, the Chair will appoint an Appeal Panel who have had no prior involvement with the disciplinary action.

A Formal Appeal Hearing, involving the Employee, Appeal Panel and the Clerk / Chair of Personnel responsible for the formal disciplinary action, will be held. At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the Council or their trade union representative.

The Employee making the appeal will be informed in writing of the outcome of the Appeal Hearing within seven days.

### **ACAS Code of Practice**

Save for as may be varied by this Policy the Council will conduct all disciplinary and grievance procedures in accordance with ACAS Code of Practice as may from time to time be in force.

### **POLICY AND PROCEDURE REVIEW**

The Grievances and Discipline Policy and Procedures will be reviewed by the Personnel Committee on an annual basis.





# Gainsborough

## TOWN COUNCIL

### APPENDIX 7

## FLEXI TIME POLICY AND PROCEDURES

### INTRODUCTION

The Town Council is committed to supporting employees to achieve a work life balance and flexi time is seen as a way to enable employees to achieve such a balance between work and life. The Council aims to maintain the highest standards of public service and where it is possible or subject to the needs of the service, the Council will offer flexi time working to employees.

The objective of this policy is to provide guidance to employees and managers on the flexi time system.

### PRINCIPLES

The policy is designed to allow employees the flexibility to choose their start and finish times to suit personal needs, providing that a satisfactory service is provided to the public during normal working hours.

Employees who wish to work normal working hours (i.e. 8.00am – 4.00pm Monday to Thursday and 8.00am – 3.30pm Friday with half an hour for lunch) will be allowed to do so. (Subject to any particular requirements of the post).

### SCOPE

The flexi time policy unless agreed otherwise applies to all employees of the Council.

### RESPONSIBILITY

Managers are responsible for effective implementation of this Policy through their teams by:

- ensuring that all staff are aware of the Policy and whether or not the Scheme applies to them
- that all employees who are using the flexi time scheme submit four-weekly time sheets or at such intervals as the Council so requires
- ensure that staff attend during normal office hours for specific tasks, appointments or reasonable cover arrangements
- ensuring that areas are adequately staffed during normal hours.

### PURPOSE

The purpose of flexi time is to provide a more flexible system of working contracted hours so that employees can have some choice over their start and finish times. They can accumulate extra hours on a weekly basis in order to take a day off later. The flexi time scheme applies to all employees unless specified by a Manager where it is not appropriate because of service requirements or working practices, e.g. shift or team working.

## **OFFICE OPENING HOURS**

Offices and their service points will be open to the general public continuously between 9.00am and 4.00pm, Monday to Thursday (inclusive) and between 9.00am and 3.30pm on a Friday. Cover must be maintained during these hours or such other hours as may be necessary for operational and contractual reasons.

## **WORKING HOURS**

Normal working hours per week are 8.00am – 4.00pm Monday to Thursday and 8.00am – 3.30pm Friday with a minimum of 30 minutes unpaid break for lunch.

- Standard working day is 7 hours 24 minutes
- Standard half day is 3 hours 42 minutes
- Flexi time can be worked between the hours of 7 am and 7 pm.

## **ACCOUNTING PERIOD**

The accounting period is 4 weeks with 13 accounting periods in a year.

## **THE FLEXI TIME WORKING WEEK**

Under the flexi time scheme and subject to service provision, employees may determine their own hours provided that:

- They take a minimum lunch break between 20 minutes and a maximum lunch break of 3 hours
- Adequate cover is provided to meet the needs of the service
- There is sufficient work available for the times they want to work.

## **CREDIT AND DEBIT HOURS**

### **CREDIT CARRY OVER**

Employees may accumulate additional hours over each week during each accounting period and this can be converted into leave at the rate of 2 full days or 4 half days. Any hours worked in excess of this will not count towards additional time off nor will overtime be paid. Any time accumulated that is not taken in the accounting period will be lost.

Leave will be subject to normal booking arrangements.

The maximum number of hours which can be credited during the accounting period is 15 hours. If more than 15 hours are accumulated, only 15 of these hours can be carried forward.

Any credit in excess of the maximum will only be allowed with the prior approval of the Clerk.

### **DEBIT CARRY OVER**

The maximum number of hours which can be debited during the 4 week period is 8 hours. If more than 8 debit hours are accumulated, the employee will be required to reduce the deficit.

If the debit cannot be reduced to 8 hours during the next 4 week period, then a deduction from pay for the outstanding hours may be made.

The Clerk may approve extra credit or debit hours or carry over for an additional period only in exceptional circumstances, for example if employees have been prevented from reducing a debit balance for reasons which they could not anticipate or avoid. It is expected in such circumstances that the hours be brought within normal limits within the next accounting period.

## **TIME RECORDING**

Employees are expected to accurately enter their times of arrival and departure, time is to be recorded on a flexi time sheet using the 24 hour clock to the previous 5 minute interval.

Line Managers are responsible for ensuring that time-sheets are checked and certified at the end of each four week period.

Employees should complete their time sheets on a daily basis and managers may undertake spot checks to ensure compliance.

### **ABSENCES**

Employees, who are not at work for authorised reasons, such as holiday, sickness, will be credited with their standard day.

It is expected that employees on the flexi time system will make health related appointments outside core times wherever possible. Flexi time should normally be taken to cover routine appointments (e.g. GP or dentist appointments) and should be authorised in advance by their line manager.

### **ABUSE OF THE FLEXI TIME SCHEME**

Any employee who abuses the Scheme will have the right to flexi time withdrawn and may be liable to disciplinary action. Falsification of a time recording document is regarded as an example of **Gross Misconduct**.

### **NEEDS OF THE SERVICE**

The Council expects flexible working hours to improve the level of service to customers. Consequently to ensure cover during office opening hours and in the event of sickness leave or other circumstances, managers may require staff to temporarily vary their arranged working hours and will give reasonable notice of this if time permits.

### **MONITORING**

Managers are responsible for monitoring the use of this policy by:-

- ensuring that all staff are recording flexi time on the appropriate flexi time recording forms
- ensuring that employees who use the flexi time policy submit monthly recording forms
- checking that flexi time recording forms are accurate
- ensuring that any abuse of the flexi time policy is dealt with promptly and appropriately.

### **POLICY REVIEW**

The Flexi Time Policy will be reviewed by the Personnel Committee on an annual basis.







# Gainsborough

## TOWN COUNCIL

### APPENDIX 8

### EMPLOYEE CODE OF CONDUCT

#### **Behaviour at Work**

We must all behave with civility towards others.

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

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

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

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

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

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

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

#### **Standards**

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

#### **Alcohol and Drugs**

You should not at any time bring onto the Council premises any alcohol or drugs (other than those prescribed by your doctor).

#### **Disclosure of Information**

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

#### **Statements to the Press/Media**

You must not make any statements to the press or media without the prior clearance and authority of the Council unless you are otherwise authorised by the Council's Communications Policy.

**Confidentiality**

Any information which:

- Is or has been acquired by you during or in the course of your employment, or has otherwise been acquired by you in confidence ;
- Has not been made public by the Council , or you have been authorised to disclose:-

shall be confidential and, unless required by law, you shall not, either before or after the termination of your employment disclose such information to any person without the prior written consent.

You shall exercise reasonable care to keep safe all documents or other material containing confidential information, and on the termination of your employment, or at any other time, upon demand return to us any such material in your possession.

**Political Neutrality**

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

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

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

**Relationships - Councillors**

Employees are responsible to the Council as a whole. For some, their role is to give advice to councillors and managers and all are there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided. Both parties are expected to conduct their relationship in an impartial manner.

**The Local Community and Service Users**

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

**Contractors**

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

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

In certain cases the Town Clerk may deem it necessary to withdraw a staff member from a ordering or tendering process or from being involved in supervising a contractor with whom they may have a prejudicial relationship.

**Appointment and other Employment Matters**

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

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

### **Intellectual Property**

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

### **Trade Union Membership**

You are under no obligation to join a Trade Union.

You are free to join or not join any Trade Union of your choice.

An employee who is an official of an independent Trade Union recognised by the employer must be granted time off to attend to duties

An employee who a learning representative of the trade union recognised by the employer must be granted time off under TULRCA 1992 s.168A, as inserted by s. 43 of the Employment Act 2002 for the purpose of analysis of learning and training needs, the provision of information and advice on learning and training matters, the promotion of the values of learning and training. The employers obligation to allow time off is subject to a reasonable test.

### **Personal Interests**

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

### **Discrimination and Equality issues**

All Council employees should ensure that policies relating to equality issues as agreed by the Council are complied with in the spirit as well as the letter of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

### **Separation of Roles - Tendering**

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

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

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

### **Corruption**

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

### **Gifts, Gratuities and Hospitality**

The Council's general policy is to inform all staff and its agents, who are working on its behalf, that the offering of gifts and gratuities to any client or any other third party, to obtain a benefit or advantage is not permitted and will be treated as potential Gross Misconduct.

Similarly receiving gifts from suppliers, or any third party associated with the supplier, to obtain an advantage or benefit will be treated as potential Gross Misconduct.

However should an Employee or Agent of the Council feel that it is appropriate to offer gifts or hospitality to clients or to receive any gift or hospitality from suppliers, or any other third party, these are to be declared prior to the event to the Clerk.

### **Use of Financial Resources**

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

### **Hospitality**

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

When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.

Employees should not accept significant personal gifts from contractors and outside suppliers, although you may keep insignificant items of token value such as pens, diaries, etc.

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

### **Sponsorship - Giving and Receiving**

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

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

### **Code of Conduct Review**

This Code of Conduct will be reviewed annually by the Personnel Committee.



# Gainsborough

## TOWN COUNCIL

### APPENDIX 9

### GATE LOCKING POLICY

#### INTRODUCTION

Gainsborough Town Council recognises the risk to staff members who undertake Gate Locking duties on behalf of the Council. This Policy is designed to provide a system to ensure that staff who encounter difficulty when undertaking Gate Locking work will be assisted by appropriate alarm being raised as soon as reasonably possible.

#### Pay and Remuneration for Gate Locking Duties

Staff members undertaking a weekend gate lock (Saturday and Sunday) will be credited with 5 hours overtime which will be paid as follows:-

Saturday 2.5 hours at 1.5 times hourly rate.

Sunday 2.5 hours at 2.00 times hourly rate.

No lieu time will be accrued for weekend gate locking duties

Staff members undertaking week day gate locks will be credited with 7.5 hours overtime which will be taken as lieu time holiday in accordance with the procedures set out in the Council's flexi time policy as regards the accruing of lieu hours, and any holiday there from must be booked in accordance with the Council procedures in this respect.

*and/or/alternatively (for discussion – some staff wish to be paid for midweek gates and some staff prefer the lieu time as highlighted by previous consultation)*

Staff members may elect to be paid for weekday Gate Locking duties and will be paid at their normal hourly rate but will not accrue any lieu time. Any election to be paid must be made to the Responsible Finance Officer annually on the 1st September. Staff will not be permitted to change their method of remuneration for a period of 12 months after their election.

#### Weekly Break

No staff member will be permitted to undertake a weekend gate lock immediately after completing a weekday gate lock as Working Time Regulations require staff members must have at least 1 day off from work duties in any 7 day period.

#### Rota

A rota system will be used to allocate gate lock duties to staff members wishing to carry out such duties. The rota will be prepared on a 6 monthly basis in consultation with staff members.

#### Timesheets

Staff must record their time spent opening and closing gates and keep a record of the precise times that gates have been opened and locked. Staff members found to be incorrectly documenting gate opening and closing times will be subject to disciplinary procedures.

### Staff Absences

Staff who report as absent due to illness on a Friday will not be permitted to undertake Gate Lock duties the weekend of that absence. That staff members gate lock duties will be undertaken by a substitute employee. No staff member will be expected to sacrifice their own gate lock duties if they have substituted for another staff member who has reported as absent due to illness on a Friday.

### Site Closing Times

This policy will only apply to staff members undertaking gate locking duties during the spring and summer months when gates are locked after ordinary staff working hours and Gate Locking Staff are subject to an increased risk of encountering resistance from members of the public who are reluctant to leave a particular site.

- 9.00 PM APPROX: CEMETERY
- 9.15 PM APPROX: RICHMOND PARK
- 9.30 PM APPROX: HICMAN BACON MEMORIAL PARK (LEVELLINGS)

### Training

In line with the Councils Staff Training Policy, the Council will provide appropriate training to gate Lock Staff i.e. confrontational training and any other training that is deemed appropriate to assist Gate Lock Staff in fulfilling their duties.

### Staff Contact Points

*Contact 1 : Sean Alcock*

Sean Alcock will be the first Contact Point unless Gate Locking Staff are informed otherwise.

*Contact 2 : Matthew Gleadell*

Matthew Gleadell is an alternative Contact Point in the event that Sean Alcock is unavailable for any reason such as on a period of annual leave.

### Emergency Procedures

- All Gate Locking staff must inform the first Contact Point as soon as they deem themselves safe following completion of the Gate Locking procedures (no later than 10pm)
- If no contact is made by 10pm, the Contact Point will attempt to contact the Gate Locker using their nominated contact telephone number(s) – this will usually be the Council's own mobile telephone.
- If there is still no contact made, alternative contact numbers will be called.
  - Each Gate Locker will provide 2 alternative emergency contact names, addresses and telephone numbers for this purpose.
- If there is still a failure to establish the gate locker's safety, the contact point will contact the Clerk.
- A report will at this point be made (at the Clerks discretion) to the appropriate emergency services.

Failure to report completion of the Gate Locking procedures that results in the unnecessary emergency procedures being invoked either in full or part may result in appropriate disciplinary action being taken against the individual responsible.

### Mobile Phone

The Council will provide a mobile telephone for Gate Locking staff to use when undertaking Gate Locking duties. It is the staff members responsibility to ensure that the mobile phone is available to them when undertaking Gate

Locking work. It is recommended that Gate Locking Staff also carry with them their own personal mobile phone (should they have one) to use as a backup.

It is the responsibility of the Gate Locking staff to report to the Clerk any problems with the Town Council mobile phone that may prevent them from being able to report their safety.

### **Body Worn Camera**

Staff undertaking Gate Locking duties are provided with a Body Worn Camera. The policy and procedure surrounding the use of the Body Worn Camera is set out in the Schedule to this policy.

### **Reference to Other Policies**

- Health & Safety Policy
- Lone Working Policy

### **Policy Review**

The Gate Locking Policy will be reviewed annually by the Personnel Committee.

## SCHEDULE

### Body Worn Camera Policy

#### About This Policy

This document explains how Gainsborough Town Council will approach and use Body Worn Video (BWV) technology.

The intention is for BWV to;

- Raise standards of service.
- Reduce incident escalation.
- Augment opportunities for evidence capture.
- Reduce complaints.

Staff should comply with Policy when dealing with members of the public and when gathering evidence/information, ensuring the quality and integrity of that evidence/information. This document and associated procedures must be followed at any incident where BWV is / has been used.

Organisations should have a Body-Worn Video evidence management system. This system should ensure compliance of all relevant legislation and provide a full audit trail maintaining evidential continuity.

#### General Principles

The decision to use BWV as a tactic must be justifiable and proportionate to the issue at hand.

Gainsborough Town Council is committed to the following and the use of BWV should be considered in any interaction with members of the public.

If BWV is the preferred tactic then careful consideration must be given to the use of a comprehensive (local) marketing strategy to comply with 'fair processing' within the Data Protection Act 1998.

#### Considerations:

It would be **good practice** to follow the steps below (especially if recordings are possibly going to be of evidential use). These steps reference the Home Office Guidance for the Police use of body-worn video devices 2007.

- Users should, where possible/practicable, announce to the subject(s) of an encounter that video and audio recording is taking place using BWV.
- Recordings should commence at the start of any deployment to an incident and should continue uninterrupted until the incident is concluded.
- Recordings should not be made of general duties.
- All recordings must be securely held. Access to recordings must be controlled and only persons having the 'operational need' to view specific incidents may view them.
- All footage recorded by the BWV must also be retained in accordance with personal data guidelines.
- Any footage **must not** be viewed by Gainsborough Town Council staff. Any incidents must be reported to the appropriate authority and management.
- All recorded footage must be handed to management as soon as possible after the incident.

#### Training

Training as with any new equipment will be required. The Council will provide appropriate training as required.

Objectives should include:

- Legislation and its implications.
- Understanding the concept and technology.
- Use and practical exercises
- Uploading and continuity of evidence

#### Declaration of Policy

The Body Worn Camera will only be used by Gainsborough Town Council employees that are responsible for the securing of council sites. The Body Worn Camera has been issued to deter anti social behavior and threats of violence against gate lock staff.

Gainsborough Town Council is committed to maximising its effectiveness in tackling (anti social behavior, harassment and violence). To this end it will explore the use of BWV to positively affect these areas.



Gainsborough Town Council will develop procedures that clearly demonstrate how to use BWV, to improve the quality of the service this organisation delivers.

Gainsborough Town Council staff are required to use the equipment in line with this document, with procedures, and local organisation strategies. They should receive full instruction in its use and the relevant legislation. All Gainsborough Town Council staff will use equipment in line with organisation risk assessments.

### **Implications of this Document**

This document focuses Gainsborough Town Council on using the right tactics for each identified problem. As such it gives direction to managers in the strategic use of BWV.

BWV will have ongoing financial implications. After initial start up costs, these costs could include;

- Time of selected administrators to manage the system and instruction of staff.
- Time of staff undergoing instruction in the effective use of BWV.
- Time of business operational leads to effectively manage the use of BWV, and support and encourage the initiative.
- Signage to comply with 'fair processing' within the Data Protection Act.
- Ongoing costs to maintain and service both the BWV equipment and back office system and replace when necessary.

All staff identified suitable to use BWV equipment must have full instruction from an identified administrator or lead before using BWV.

Corporate guidance will be given wherever possible to reduce the necessity for local procedures to be overly complex.

Corporate risk assessments will be produced to give guidance on the use of BWV and associated equipment. These must be used in conjunction with other generic risk assessments. All staff will use equipment in line with published risk assessments.

Gainsborough Town Council will monitor the use of BWV to ensure the equipment is an appropriate tactic and that the use is in line with policy and procedure.

### **Body Worn Camera Operating Procedure**

#### **Introduction**

Body Worn Video (BWV) is an overt method by which staff can obtain and secure evidence at incidents. This document is intended to enable staff to comply with legislation and guidance to create evidence suitable for use ultimately in court proceedings if required. In addition to providing compelling supportive evidence for court it has been found that BWV can furnish other benefits such as;

- Raise standards of service.
- Reduce incident escalation.
- Augment opportunities for evidence capture.
- Reduce complaints.

BWV equipment provided for users should be compliant with the recommendations in the 'Technical specifications' section of the Guidance for the Police use of Body-Worn Video Devices published July 2007 by the Police and Crime Standards Directorate.

This document explains the process by which Gainsborough Town Council will utilise BWV devices. It will ensure a consistent and effective system is adopted throughout the organisation, benefiting both members of the public and staff.

BWV devices will be used by Gate Lock staff. It has the potential to significantly prevent, stop escalation, and record events involving conflict. In cases which involve legal redress it can improve the quality of evidence provided by members of the organisation. It will also raise standards of service providing a good reference for staff development.

BWV can be used across a wide range of operations and in all cases users and management must use professional judgment with regard to the use of this equipment.

list is for guidance only and is not exhaustive.

- Legal privilege – users must be careful to respect legal privilege and must not record material that is, or is likely to be, subject to such protections.
- Private dwellings – users must consider the right to private and family life (Article 8 of the European Court of Human Rights) and must not record beyond what is necessary for the requirements of the individual case.

Management must ensure that the use of the cameras is widely advertised prior to the start of the programme of use ensuring 'fair processing' a requirement of the Data Protection Act 1998.

At an individual case level the use of BWV must be made clear by staff making a verbal announcement to those persons who may be recorded. In some cases it will not be practical to make such an announcement, on these occasions this announcement must be made as soon as reasonably possible.

**Tracking and Appraisal**

This document is to be reviewed annually by the Personnel Committee or in light of legal or procedural changes to ensure that the use of BWV is appropriate and adds value to Gainsborough Town Council objectives.



# Gainsborough

## TOWN COUNCIL

### APPENDIX 10

### STAFF TRAINING POLICY

#### INTRODUCTION

Gainsborough Town Council is committed to providing all workers with fair and reasonable access to training and development which allows them to enhance their skills, knowledge and ability to achieve their best potential in their work.

All Employees will have access to training on the basis of the needs of their job and the requirements of each individual.

The Training needs and objective of all employees will be monitored and assessed by relevant line managers. Employees are encouraged to inform their line managers of any training they may wish to undertake and will be given a formal opportunity on an annual basis to discuss their training needs and objectives during their annual performance review.

#### EQUALITY STATEMENT

No account is taken of race, belief, gender, length of service, hours worked or physical ability of individuals in providing access to training.

#### LIMITING FACTORS

The only limiting factor will be the relevance of training to the needs of the post, the individual and the financial constraints upon the Council.

#### POLICY REVIEW

The Training Policy will be reviewed by the Personnel Committee on an annual basis.





# Gainsborough

## TOWN COUNCIL

### APPENDIX 11

## WHISTLE BLOWING POLICY & PROCEDURE

### INTRODUCION

All organisations face the risk of things going wrong or unknowingly harbouring malpractice. The Council believes it has a duty to identify such situations and take the appropriate measures to remedy the situation. By encouraging a culture of openness within the Council, it is hoped that such problems can be prevented.

This policy applies to all Employees of the Council and other workers including temporary, subcontracted and agency workers.

By encouraging a culture of openness, the Council wants to encourage Employees and workers to raise issues which concern them at work. They may be concerned that by reporting such issues they may be exposing themselves to detrimental treatment or risking their job security. This is not the case. All staff have statutory protection if they raise concerns in the right way. This policy is designed to give staff that opportunity and protection. Providing they are acting in good faith it does not matter if they are mistaken. There is no question of Employees having to prove anything about the allegation they are making, but they must reasonably believe that the information they have implies acts of malpractice.

If there is anything which Employees think the Council should know about, they should use the procedure outlined in this policy. By knowing about malpractice at an early stage, the Council has a good chance of taking the necessary steps to safeguard the interests of all who are involved with and have a legitimate interest in its activities.

Typical examples of malpractice which are covered by this policy are:

- Criminal offences
- Miscarriages of justice.
- Dangers to health and safety
- Damage to the environment.
- Breaches of any legal and / or statutory obligations
- Deliberately concealing any of the above.

The Council is committed to this policy. If an Employee uses this policy to raise a concern in good faith, the Council gives them its assurance that they will not suffer any form of retribution or detrimental treatment.

The Council will treat their concern seriously and act according to this policy. They will not be asked to provide anything about the allegation they raise, but they must reasonably believe that the information they have tends to show some malpractice. If an Employee asks for a matter to be treated in confidence, the Council will respect their request.

### The Council's Guarantee

If an Employee is concerned about any form of malpractice, they should raise the issue with their immediate supervisor. There are no specific requirements to do this.

They can inform their supervisor verbally or in writing if they prefer.

If they feel that they cannot deal with their supervisor, for whatever reason, they should address their concerns to either the Clerk or Mayor.

#### How the Council will respond

- Once a concern has been raised the Council will decide how to respond in a responsible and appropriate manner under this policy. Usually this will begin with internal enquiries, but may progress to either a formal or informal investigation, depending upon the nature of the concern. The Council will endeavour to complete the investigation within a reasonable time scale.
- The investigation may be conducted by either the Clerk alone, or a team of three Councillors, selected by the Full Council, depending upon the nature of the concern.
- The Council will keep the Employee informed of the progress of the investigation. However the Council will not be obliged to reveal information which would infringe the confidentiality of others, the Data Protection Act or any other statutory obligation.

#### Raising your concerns externally.

- The purpose of this policy and procedure is to give Employees the opportunity and protection they need to raise concerns internally. The Council would expect that in almost all cases, raising concerns internally would be the most appropriate action to take.
- However, if for whatever reason Employees feel that they cannot raise their concerns internally and reasonably believe that the information and allegations are substantially true, they can consider raising the matter with the appropriate regulator, such as the District Monitoring Officer.
- Public Concern at Work is an independent charity whose main objective is to promote compliance with the law and good practice in the public, private and voluntary sectors. They can be contacted at [www.pcaw.co.uk](http://www.pcaw.co.uk)
- If you have any questions regarding this policy and procedure, please feel free to discuss the matter with the Clerk.

#### **POLICY REVIEW**

The Whistle Blowing Policy will be reviewed by the Management and Finance Committee on an annual basis.



# Gainsborough

## TOWN COUNCIL

### APPENDIX 12

### LONE WORKING POLICY

#### 1. Introduction

The purpose of this policy is to ensure that there are adequate systems in place to ensure the health, safety and welfare of lone workers in order to reduce the risks of lone working as far as is reasonably possible and practicable.

#### 2. Definitions

##### *Lone Worker*

A lone worker is anyone who works in isolation from their colleagues without close or direct supervision.

Examples include:

- Gate Lock Staff

##### **People in fixed establishments**

- People working alone in premises, eg in small workshops, offices, kiosks or shops
- People who work from home
- People working separately from others, eg in some research and training establishments or community centres
- People working outside normal hours, eg cleaners, detached workers, project workers
- Maintenance or repair staff

##### **Mobile workers working away from their fixed base**

- Workers involved in construction, maintenance and cleaning work, electrical repairs or painting and decorating
- Agricultural and forestry or outdoor workers
- Service workers, support workers or befrienders

#### 3. Scope

##### *Own Employees*

This Policy applies to all employees permanent or temporary or voluntary of Gainsborough Town Council and includes any agency, or visiting professionals employed to provide services.

##### *Contractors*

This Policy also applies to participating Independent Contractors and their employed staff.

#### 4. Legal requirements

##### *Applicable Laws*

Gainsborough Town Council has an obligation under the Health and Safety at Work Act 1974, to ensure the Health, Safety and Welfare of their employees. The Management of Health and Safety at Work Regulations (MHSWR) 1999 places a duty on employers, to identify significant risks within the organisation and implement suitable risk treatments, to reduce those risks so far as is reasonably practicable.

***Places of Work***

Where workers are on premises where someone other than their employer has control, their safety is the responsibility of the main occupier of those premises provided that the occupier is also an employer or conducting an undertaking there. (S.3 (2) of the Act).

Where an employer does not exercise control over the premises it is more difficult to ensure a safe and healthy environment. Regulation 10 of MHSWR requires employers (including self employed i.e. Independent Contractors) to provide comprehensible information on health and safety for others who are working on or visiting their premises.

***Personal responsibility***

Section 7 of the act requires employees to take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work.

This policy and supporting training [note: training is not dealt with in this policy and will require separate thought] should ensure that such persons do not take short cuts or employ dangerous practices but that they are instructed to consider and identify potential hazards and to implement a form of risk assessment to ensure the safety of themselves and any of other persons they may be working with.

***Working outside normal hours***

Where a person is required or requests to work after normal working hours and alone, it is necessary to identify the degree of risk in assessing whether or not this is a safe practice. Reg 3 of MHSWR states that employers must make a "suitable and sufficient" assessment of any risks to the health and safety of their employees. Any such risks identified are likely to be greater for lone workers. These findings must be recorded on the risk assessment documents.

**5. Policy Aims**

The aim of this policy is to ensure, so far as is reasonably practicable, that staff who work alone are not exposed to risks to their Health and Safety and to outline the steps to reduce and improve personal safety to staff who work alone.

The policy also aims to raise awareness of safety issues relating to lone working.

The Operations Manager is available to provide advice to managers or staff on any aspect of the policy and procedure.

**6. Objectives**

The objectives of this policy are to ensure:

1. Lone workers are identified.
2. That risks inherent in lone worker situations are assessed and suitable precautionary measures taken
3. There is a local safe system of work which:
  - records the whereabouts of lone workers
  - tracks the movement of lone workers
  - follows an agreed system for locating staff who deviate from their expected movement pattern
  - identifies when lone working is no longer appropriate

***Risk Assessment***

Risk assessment is the overall process of performing a systematic written risk analysis and risk evaluation in order to identify methods to control the severity of the risk.

Risks to be assessed during the process include:

- Violence and Aggression.
- Isolated areas/ difficult terrain.
- Sudden illness
- Building condition



- Substances Hazardous to Health
- Animals
- Vehicle breakdowns
- Weather hazards

This list is not exhaustive and other risks may be identified during the assessment process.

### ***Safe System of Work***

A method of working which addresses risks that cannot be controlled in any other way. Safe systems of work are dynamic systems, which means they should be constantly monitored to identify weakness and improve methods of controlling the risk. Localised protocols such as a "buddy system" for safe working should be considered and encouraged.

Systems of work should be designed to reduce the need for lone working where possible. If this is not possible, safe work practices should be implemented, in line with the findings of a general risk assessment, to avoid or minimise the possibility of abuse. Radios, personnel attack alarms, mobile phones and physical barriers should only be used in conjunction with safe practice.

## **7. Organisational responsibilities**

Responsibilities for the health and safety of lone workers are allocated as follows:

### ***Senior Management***

Gainsborough Town Council

1. Ensure the management of Lone Working within the Organisation is adhered to under the Health and Safety Policy.
2. Maintain a log of the locations of employees considered to be lone workers
3. Maintain contact with staff that work alone, both internally and externally.
4. Implement systems to identify those staff who do not report or return at the expected time.
5. Ensure systems are in place to take action to contact / locate staff that have failed to make contact or return at the expected time.
6. Raise the appropriate level of alert / alarm and inform the manager on call if staff cannot be contacted / located within 1 hour after the expected time of contact or return.
7. If staff cannot be located, then contacting the police.
8. Monitoring feedback from the organisation on lone worker risk and seeking to improve processes.
9. Monitor and update this policy as appropriate.

### ***Other Managers***

Clerk of the Council, Deputy Clerk and Operations Manager.

1. To identify all staff likely to work regularly in isolation from their colleagues.
2. To assess the risks that such lone working presents.
3. Having assessed the risks, to decide whether lone working is reasonable or not in these situations.
4. To report to the line Manager any situation where the risks cannot be controlled.
5. If lone working is considered reasonable, then the manager must ensure that suitable precautions are in place, such as:

- Mobile telephones/radios
  - Team working
  - Giving information on known risks
  - Reporting in procedures
  - Personal alarms
  - Recording identified risks on the local risk register.
6. To ensure all staff that work alone are made aware of this policy.
  7. To support staff who are victims of violence and aggression through the staff counselling service and in line with the organisational policy.

### **Employees**

1. Identify any activity carried out by them which will involve them working alone for more than one hour.
2. Comply with any precautionary measures including guidelines laid down by managers such as a "buddy system".
3. Provide any of the following information that may be needed to set up a safe system of work:
  - Working alone at the beginning and end of the normal working hours
  - Daily out of base work place
  - Detail of the make, model, colour and registration number of the vehicle being used.
  - Notifying any changes to the daily out of base work plan (i.e. ad-hoc or "spur of the moment" visits).
- Informing key person ("buddy") on return to base.
4. Report to their managers any unsafe or potentially unsafe situations, and to report incidents in which violence or aggression or threats using the incident reporting procedure.
5. Take reasonable care for their own safety and not expose themselves to unnecessary risk.
6. To attend any training provided.

### **8. Financial implications**

Costs associated with the Lone Worker Policy and its implementation are the responsibility of Gainsborough Town Council. This includes:

- Cost of monitoring and alerting systems
- Mobile phone costs
- Training
- Risk assessment
- Doubling-up on staff where needed for appointments

Costs that Gainsborough Town Council does not meet include:

- Parking fines

Neither list is intended to be exhaustive. If in doubt, seek advice from The Clerk of the Council.

**9. References to other policies within the Organisation**

- Health and Safety Policy
- Gate Locking Emergency Policy





# Gainsborough

## TOWN COUNCIL

### APPENDIX 13

### CAPABILITY POLICY

#### Introduction

Gainsborough Town Council recognises that from time to time staff may experience difficulties, which impact on their ability to carry out their work. Gainsborough Town Council recognises that poor job performance due to incapability cannot be treated as a disciplinary offence.

There can be reasons for poor job performance other than misconduct. In the interests of dealing with such problems fairly and consistently, Gainsborough Town Council has set out the following procedures, which are not part of the disciplinary procedures that apply to misconduct.

Gainsborough Town Council recognises its responsibilities for employees and duties under the Health and Safety at Work Act 1974 and the Equality Act 2010, to manage issues relating to staff capability sensitively, in so far as is reasonable and able to do so. These procedures will be adopted in the interests of fairness for the management and support of employees who, due to capability are unable to attend work. Such systems should assist the employee in making a return to work, in so far as it is practicable.

Capability is dealt with by Gainsborough Town Council under 2 headings:

- Managing Performance
- Managing Attendance – long-term sickness absences

#### PROCEDURES

##### Managing Performance - Investigation

The procedure for managing performance will apply where an employee is clearly making every effort to fulfil the requirements of the post, but is unable to do so due to reasons such as, changes in the role; loss of skills, ability and/or knowledge, impact of physical or mental impairment.

The cause of poor performance will be investigated and established by Gainsborough Town Council. The employee will be asked to provide an explanation as to the reasons for poor performance and the explanation will be checked.

Incapability/poor performance will arise where the employee has been set realistic targets and objectives and cannot achieve them through no fault of their own. (An example of capability is failure due to medical conditions).

If realistic targets and objectives have been set out but the employee fails to take action of which they are capable, their performance may be treated as misconduct under the Disciplinary Procedure.

At each stage of the procedure and as specified below the employee will normally be interviewed by the Clerk or a member of the Council, as appropriate, to review the relevant factors.

At any interview or an appeal meeting, the employee will have the opportunity to state their case and will be encouraged to do so. The employee will have the right to be accompanied by a work colleague, or recognised Trade Union Representative. Legal representation will not be permitted; Gainsborough Town Council Capability Procedure is an internal process and will be conducted as such.

All warnings will be confirmed to the employee in writing.

**Stage One: Training and Supervision**

Where the reason for poor performance is lack of capability, the employee will be invited to comment and to contribute to a discussion about steps to assist them to reach the required standards. These may include:

- Appropriate training in-house and/or externally sourced, if this has not already been done.
- More frequent supervision and support
- Assessment of the post to ensure the role is not inconsistent with their selection for the appointment.

Arrangements will be made to carry out any remedial measures and to review progress and performance at the end of an appropriate period of time. The employee will be advised that failure to meet the specified standard of improvement will result in the next stage of the procedure being implemented.

**Stage Two: First Written Warning**

If, despite following the agreed measures and at the end of the review period, the required improvement in performance is not forthcoming, the employee will be given a First Written Warning by Gainsborough Town Council. This will state:

- The reason for the warning;
- The level and improvements in performance required;
- A realistic time limit for achieving that performance;
- The form in which monitoring will take place;
- That the consequence of failure to achieve and maintain the improvement would result in a final written warning being given;
- The duration of the warning held on the employee's personnel file;

First written warnings will have a time limit of 6 months.

**Stage Three: Final Written Warning**

If there is no improvement or not sufficient improvement or it is not maintained for the period stated, the employee will be given a Final Written Warning setting out the details as above with a written warning that failure to improve may result in dismissal. Final written warnings will have a time limit of 12 months.

**Stage Four: Dismissal**

If there is still no improvement or not sufficient improvement or it has not been maintained for the period stated above, the employee will normally be dismissed with notice.

**APPEALS**

If the employee wishes to appeal against stages 2,3 or 4, the appeal must be made to the Council. The employee must put their request in writing, setting out the grounds of appeal, within 5 working days of the decision being communicated to them. The appeal will be heard by an Appeal Panel made up from GAINSBOROUGH TOWN COUNCIL. The appeal hearing will be conducted within a reasonable period of the appeal being lodged. The outcome will be either:

- a) to reject the appeal and confirm the original disciplinary action, or;
- b) to uphold the appeal and reduce or revoke the original disciplinary action.

The result of the appeal will be confirmed in writing within 10 working days of the hearing. The decision at the appeal stage is final of this internal policy.

**Managing Attendance:**

The Council should ensure that they have taken into consideration fully the following aspects before coming to a decision on the management of sickness absence:

- The nature of the illness
- The likelihood of it recurring or some other illness arising
- The length of the absences and the periods of good health between them
- The need for the work done by the employee
- The impact of the absence on other workers
- The policy and how well it has been carried out, and in particular the need for medical assessment when considering dismissal
- The extent to which the difficulty of the situation and the position of Gainsborough Town Council been made clear to the employee, so that the employee realises the full implications of action being considered.

In the application of the following procedure, the Council should ensure:

- Following each stage, a letter is sent to the employee confirming the key points and actions.
- All correspondence should be marked 'confidential' when writing to the employee
- Reasonable adjustments have been considered throughout the process
- Where there is a difference of opinion regarding the medical advice received, an independent assessment is sought.
- Advice is sought and other specialist resources are appropriately involved.

### **Short Term Sickness Absence**

Where the employee's sickness record shows that there has been a series of short term absences, from 1 to 5 days, frequent in nature and in excess of those for either their team or Gainsborough Town Council as a whole, when assessed over a period of 3, 6 and 12 months, the Council will arrange to review the matter with the employee under the 'Return to Work Meeting' procedure.

### **Long Term Sickness Absences**

Where the employee's sickness absence is in excess of 30 days and the nature of the sickness either indicates that there is an underlying problem or is one which suggests it may be long term, the Council will consider the following throughout the process, to the extent that is reasonably practicable:

- The need to make reasonable adjustments and look at alternative work arrangements.
- The need to initiate support, counselling or rehabilitation.

It is recognised that all long-term sickness cases are different and therefore the reason for the absence will determine the action to be taken.

#### **Stage One:**

The Council will:

- a) Ensure they are aware of the reason for the employee's absence
- b) Maintain regular contact with the employee including home visits where appropriate
- c) Try to determine the likelihood of the employee's return to work

#### **Stage Two:**

If the reason for the employee's absence indicates that a return to work is highly probable, e.g. a broken limb or a minor back injury, the Council will maintain contact and establish a return to work date with the employee. It may not be necessary to seek medical advice during the absence.

If the reason for the employee's absence is unclear as to a likely return to work, medical advice must be sought. Gainsborough Town Council will:

- a) Write to the employee to seek written consent for Gainsborough Town Council to obtain a medical report from the employee's doctor or alternatively to refer them to an independent Occupational Health Practitioner for a medical examination or report. This will be done in line with the employee's rights under the 'Access to Medical Reports Act, 1988'.

- b) Agree to review the progress, either following the receipt of appropriate advice, or earlier, where this is appropriate.

The medical advice will indicate whether or not you the employee is fit to return to full duties, or alternative duties, and the prospect for the future.

Note: Where an employee refuses to give their consent as outline in a) above, Gainsborough Town Council will base their decisions on the facts available.

**Stage Three:**

The Council will:

- a) Obtain all the necessary internal and external advice
- b) Review any medical reports
- c) Look at all available options
- d) Establish a way forward

At each stage, in conjunction with the employee and having established the appropriate level of support required, the Council will assist the employee in making a return to work.

**Stage Four:**

If the medical advice indicates you the employee is not yet fit enough to return to full duties, but could undertake light/alternative duties in the meantime, every effort should be made to accommodate this.

If the medical advice indicates that the employee is not able to return to full duties in the future, but could undertake alternative duties, this should be considered but cannot be guaranteed. If this is possible, full discussions will take place with the employee. If this is not possible, the employee will be informed that their employment will be terminated with notice.

If the medical advice indicates that the employee is not able to return to work in the future, including alternative duties, or are unable to return within a time span which is operationally acceptable, provided all aspects, including their needs, have been considered, the employee will be informed that their employment will be terminated with notice.





# Gainsborough

## TOWN COUNCIL

### APPENDIX 14

#### SHARED PARENTAL LEAVE (SPL) ENTITLEMENT POLICY AND PROCEDURES

Parents who both have 26 weeks or more continuous employment, and who earn above the National Insurance Lower Earnings Limit, can take SPL for children born after the 4th April 2015.

Both Parents can share a total of 37 weeks statutory paid leave and 12 week's unpaid leave, following their child's birth.

Mothers must take two weeks compulsory Maternity leave immediately after the birth, (four weeks for manual workers). Following that compulsory period, both Parents can request dates to take leave totalling 37 weeks paid (35 for manual workers) and 12 weeks unpaid.

Leave can be taken by both Parents at the same time, or in alternating periods.

To take leave:

1. Both Parents must qualify in terms of earnings and length of service.
2. The Mother must give her Employer eight week's notice that she is ending her Maternity Leave. This can be done as early as eight weeks before the birth, (starting from February 2014).
3. The Council requires eight weeks prior notice of the dates an Employee wishes to take SPL.
4. The Council requires the following evidence that an Employee's Partner/Spouse is also entitled to SPL:
  - The Partner/Spouse's name.
  - Their National Insurance number.
  - Copies of the Partner/Spouse's payslips for the past eight weeks.
  - A letter from the Partner/Spouse's Employer to confirm that they are entitled to SPL.
5. The Council will automatically allow any requests for just one continuous period of leave.
6. If an Employee requests two or more separate/discontinuous periods of SPL, the Council can discuss dates with the Employee, which are unacceptable for business reasons.

The Council will discuss problem dates with an Employee during the first two weeks of the eight week notice period.

If agreement cannot be reached, the Employee will be entitled to one continuous period of SPL, starting from the date the discontinuous leave request was due to start.

7. Parents are paid at the same rate as Statutory Maternity Pay when taking SPL.
8. Employees wishing to take SPL will be able to submit a written eight week notice from February 2015, to NAME, specifying the dates they wish to take.





# Gainsborough TOWN COUNCIL

## APPENDIX 15

### POLICY ON USE OF WORK VEHICLES BY STAFF MEMBERS

#### Introduction

Gainsborough Town Council operates a number of work vehicles which are used to aid and assist staff in completing Grounds Maintenance duties. This policy sets out rules as regards use of those vehicles during working hours but also provisions as to use of work vehicles by staff for occasional domestic use.

#### Definition

'Work Vehicle' shall mean the Council's Vauxhall Vivaro or Ford Transit Tipper or replacement thereof.

#### Driving Licence and Convictions

All staff using work vehicles must provide a copy of their valid Driving Licence to the Council a copy of which will be retained on their personnel file.

Staff receiving any driving convictions of any nature must report the same to the Council for insurance disclosure purposes. For the avoidance the duty of disclosure extends to points incurred on the employees licence.

#### Mileage Log's

Staff must accurately complete the vehicle mileage logs. The information to be inserted is as follows:

- Date
- Start Mileage
- End Mileage
- Driver Name
- Site/s Visited
- Times
- Vehicle Emptied Y/N
- Observations/Faults

Precise information must be completed for **every** journey.

#### Non Work Related Use during Working Hours

During ordinary Council working hours (typically Monday to Friday 8.00am to 4.00pm) work vehicles may not without prior authority of the Clerk be used for any purpose not related to the operations of the Council. This includes but is not limited to commuting to and from additional places of employment outside of the Council's operations, personal errands, travel to and from home or other places for lunch.

#### Tools

No work tools, work related equipment or fuel shall be stored in or on work vehicles overnight unless authorised by the Clerk or Operations Manager.

#### Incidents

All incidents involving use of Work Vehicles must be reported to the Operations Manager or Clerk immediately and an appropriate incident report provided at the direction of the Operations Manager or Clerk.

### **Vehicle Storage**

When not in use for work related purposes all vehicles must be stored in the Councils yard at Richmond Park save for where the Clerk has authorised an employee to retain the vehicle for gate lock purposes or the vehicle is in use for domestic purposes as set out below.

### **Fuel**

All fuel for work vehicles must be purchased using the Council's fuel genie account. Fuel cards must be collected from the office before use and returned immediately after use together with appropriate receipts which must include a VAT receipt.

### **Failure To Follow Policy**

Failure to follow this policy may result in disciplinary action being taken against the employee.

### **Policy Review**

This policy will be reviewed annually by the Councils Management and Finance Committee.