

Gainsborough Town Council
Richmond House, Richmond Park, Morton Terrace
Gainsborough, Lincolnshire, DN21 2RJ

Telephone: 01427 811573

Website: gainsborough-tc.gov.uk



REMOTE MEETING AGENDA

29 April 2021

Dear Councillor,

You are hereby summoned to attend an extraordinary remote meeting of the **Personnel Committee** which will be held on **Thursday 6 May 2021 at 7pm**.

Members will be able to access the meeting via a link which will be emailed to their Town Council email address or through a calendar event.

Members of the public will be able to view the meeting at the following link:

<https://www.youtube.com/channel/UCmlMaqH64ih1EDc6Cn56VWA>

The business of the meeting is set out in the agenda below.

A handwritten signature in black ink that reads 'Tom Clay'.

Tom Clay
Town Clerk

Committee members:

Agenda

No	Agenda Item
	<u>Procedural items</u>
1	Register of attendance for a remote meeting Committee to conduct a register of attendance for a remote meeting.
2	Declarations of interest Committee to receive any declarations of interest in accordance with the requirements of the Localism Act 2011, and to consider any applications for dispensations.
3	Minutes of an ordinary meeting Committee to confirm as a correct record the minutes of the ordinary meeting held on Wednesday 10 March 2021. PAPER A

<u>Committee business items</u>	
4	<p>Staff Handbook Committee to note that at a meeting held on 15 July 2020 it was resolved:</p> <p>RESOLVED that the Committee agree to approve the use of draft contract of employment and instruct the Town Clerk to:</p> <ol style="list-style-type: none"> i. Create specific contracts for each position at the Council for review by the Committee; ii. undertake a review of the Staff Handbook; iii. bring forward documents that outline a standardised recruitment process, and; iv. that the documents be put to the committee in stages and not all at one meeting. <p>Committee to consider a reviewed version of the Staff Handbook in line with point 2 of the resolution above. PAPER B</p>
5	<p>Seasonal grounds maintenance operative post Committee to consider a report about recruitment to the post and possible options. PAPER C</p>
6	<p>Office working arrangements Committee to receive an update about office working arrangements and to consider any matters arising. PAPER D</p>
7	<p>Recruitment to the Town Clerk's position Following the resignation of the current Town Clerk to consider recruitment and associated job description, person specification and job advert.</p> <p>To consider shortlisting and interview panel noting that final selection and appointment will require a resolution of Full Council. PAPER E</p>
7	<p><u>Exclusion of the press and public</u> Due to the confidential nature of the following, members may resolve to exclude the press and public from the meeting during consideration of the next three items in accordance with the Public Bodies (Admission to Meetings) Act 1960.</p>
8	<p>Sickness, absence, and leave Committee to note a report about staff sickness, absence, and leave. PAPER F</p>
9	<p>Pay range increases 2021 Committee to note and consider a report about pay range increase for 2021 PAPER G</p>

10	Staff Issue Committee to consider a report about a staff issue. PAPER H
-----------	---

PAPER A

GAINSBOROUGH TOWN COUNCIL

MINUTES of a REMOTE Meeting of the Personnel Committee held on Wednesday 10 March 2021 at 7:03pm

Present: Councillor Richard Craig (Chairman)
Councillor Boles – ex officio
Councillor David Dobbie
Councillor Paul Key
Councillor Sally Loates (arrived at the meeting at 7:09pm)
Councillor Keith Panter – ex officio
Councillor Kenneth Woolley (arrived at the meeting at 7:09pm)

In Attendance:

Tom Clay	Town Clerk
Rachel Allbones	Deputy Clerk & RFO
Sean Alcock	Operations Manager

1. TO RECEIVE APOLOGIES FOR ABSENCE

Councillor Sally Loates
Councillor Kenneth Woolley

2. TO RECEIVE MEMBERS' DECLARATIONS OF INTEREST

None declared.

3. MINUTES FROM THE PREVIOUS MEETING (Paper A)

i. Minutes of the meeting of Personnel Committee held Wednesday 10 February 2021.

RESOLVED that the minutes of the Personnel Committee meeting held on Wednesday 10 February 2021 be confirmed and signed as a correct record.

Note: Councillors Boles and Dobbie abstained from voting on the above resolution.

4. STAFF HANDBOOK (Paper B)

Note: Councillors Loates and Woolley arrived at the meeting at 7:09pm.

Committee NOTED that at a meeting held on 15 July 2020 it was resolved:

RESOLVED that the Committee agree to approve the use of draft contract of employment and instruct the Town Clerk to:

- i. Create specific contracts for each position at the Council for review by the Committee;
- ii. undertake a review of the Staff Handbook;
- iii. bring forward documents that outline a standardised recruitment process, and;
- iv. that the documents be put to the committee in stages and not all at one meeting.

Committee considered a reviewed version of the Staff Handbook in line with point 2 of the resolution above.

RESOLVED to defer until the next Committee meeting, to give members time to read through and consider the document. Members agreed that they would bring any points to the attention of the Town Clerk prior to the meeting, which includes the points raised by Councillor Key during the meeting.

Note: Councillor Key abstained from the above resolution.

Note: Councillor Dobbie voted against the above resolution.

5. **EXCLUSION OF PRESS AND PUBLIC**

Due to the confidential nature, members **RESOLVED** to exclude the press and public from the meeting during consideration of the next item in accordance with the Public Bodies (Admission to Meetings) Act 1960.

6. **MATTERS TO NOTE (Paper C)**

Committee NOTED the report relating to personnel matters.

RESOLVED to re-advertise the seasonal grounds maintenance operative post, and also to enquire with Hill Holt Wood and Volunteer Bureau to see if they have any candidates for the role.

Note: Councillor Key abstained from voting on the above resolution.

RESOLVED to come out of closed session.

The meeting concluded at 7.59pm

PAPER B

**Officer Report to the
Personnel Committee**

Report Author: Tom Clay
Report Date: 6 April 2021



Gainsborough
TOWN COUNCIL

Subject: Staff Handbook Report

1. Summary

- 1.1 The report will act as a brief cover report for the new draft Staff Handbook.

2. Background

- 2.1 Committee to note that at a meeting held on 15 July 2020 it was resolved:

RESOLVED that the Committee agree to approve the use of draft contract of employment and instruct the Town Clerk to:

- i. Create specific contracts for each position at the Council for review by the Committee;
- ii. undertake a review of the Staff Handbook;
- iii. bring forward documents that outline a standardised recruitment process, and;
- iv. that the documents be put to the committee in stages and not all at one meeting.

- 2.2 Committee to consider a reviewed version of the Staff Handbook in line with point 2 of the resolution above.

- 2.3 The current Staff Handbook can be accessed at: http://gainsborough-tc.gov.uk/wp-content/uploads/2020/12/Staff_Handbook-1.pdf

- 2.4 The reviewed version of the Staff Handbook was drafted by the Town Clerk and the Council's Hr advisor. It incorporates elements of the current Handbook, wording created by the HR Advisor and model documentation, such as, the AGAR disciplinary and grievance procedure.

- 2.5 The goal is to make the Staff Handbook clearer, bring it in line with best practice, to compliment the new template contracts and to make it easier to review in the future.

3. Issues raised

- 3.1 At the last Committee meeting some issues were raised with the draft document.
- 3.2 An issue relating to the wording about overtime was mentioned which should have been resolved.
- 3.3 Some degree overtime would be permitted under new draft for work that takes place far outside contracted hours.
- 3.4 Several references to a 'Director' have been removed.

- 3.5 An issue relating to the 'right to be accompanied' was mentioned, but there does not appear to be an issue in the text.
- 3.6 Finally, concern was raised about the following sanctions relating to demotion and a period of pay without suspension. The HR advisor has said that both are legal but would be a measure of last resort. The wording is taken from a model ACAS document, but Members could remove the sanctions if they wish.
- 3.7 No other issues have been raised to date with the Town Clerk.

4. Risk, budget, and policy implications

- 4.1 The recommendations in this report conform to Standing Orders and Financial Regulations.
- 4.2 There are no direct budgetary implications.
- 4.3 The document is a new version of a policy. It should be noted that there are considerable number of other policies and procedures that will require review regardless of whether or not the new Staff Handbook is adopted.
- 4.4 There might be some need for in house training arising out of the new Staff Handbook.
- 4.5 The principal risk relates to the interpretation of the policies in the document. This can largely be mitigated against by getting advice from the Council's HR advisor.

5. Recommendation

- 5.1 The Committee is recommended to consider recommending to Council that the new Staff Handbook be adopted.

Gainsborough Town Council

Richmond House, Richmond Park, Morton Terrace

Gainsborough, Lincolnshire, DN21 2RJ

Telephone: 01427 811573

Website: gainsborough-tc.gov.uk



Staff Handbook

Document History

Adopted by (INSERT COMMITTEE OR COUNCIL) – (INSERT DATE)

To be reviewed – (INSERT DATE)

Tom Clay

Town Clerk

Contents

1. Handbook Introduction	4
2. Equal Opportunities Statement	4
3. Remuneration	5
3.1 Introduction	5
3.32 Disclosure and Barring Service Checks (DBS)	7
4. Holiday Rules, Policy and Procedures	8
4.1 Introduction	8
5. Additional Statutory Employee Rights	9
5.1 Introduction	9
5.4 Examples of additional statutory leave/time off:	9
6. Health and Safety	9
6.1 Introduction	9
6.4 Duty of employees	10
7. Alcohol and Drugs Policy	11
8. Emergency First Aid at work	13
9. Smoking Policy	13
10. CCTV Policy	13
11. Council Policies and Procedures	13
11.1 Introduction	13
11.4 Continuous Service	14
11.6 Absence Rules, Policies and Procedures	14
11.8 Important	15
11.21 Parental Bereavement Leave	16
11.25 Bereavement Leave	16
11.27 Redundancy	17
11.29 Employee Checks	17
11.33 Council Electronic Equipment	17
11.39 Social Networking	18
11.43 Appearance and Housekeeping	18
11.45 Anti-Corruption and Bribery Policy	18
11.49 Whistle Blowing Policy	18
11.70 Use and Maintenance Rules of Council Vehicles	21

11.73	Vehicle Tracking.....	22
11.79	Satellite Navigation.....	23
11.81	Parking of Council Vehicles.....	23
11.85	Fines.....	23
11.87	Council Documentation.....	23
11.89	Social Events.....	24
12.	Anti-Harassment and Bullying Policy.....	24
13.	Disciplinary Policy.....	24
13.1	General Principles.....	24
13.5	Rules of Conduct.....	25
13.8	Misconduct.....	25
13.11	Gross Misconduct.....	26
13.15	General Principles.....	28
13.25	Confidentiality.....	29
13.31	Investigations.....	29
13.37	Suspension.....	30
14.	Formal Disciplinary Procedure.....	30
14.1	Written information.....	30
14.5	Disciplinary hearing.....	31
14.12	Appeals.....	31
15.	Dismissals and Disciplinary Action.....	32
15.1	Disciplinary sanctions.....	32
15.4	Stage 1: Verbal warning.....	32
15.8	Stage 2: First written warning.....	33
15.12	Stage 3: Final written warning.....	33
15.16	Stage 4: Dismissal.....	33
15.19	Alternative sanctions short of dismissal.....	34
16.	Capability Policy.....	34
16.5	Disabilities.....	35
16.8	Informal discussions.....	35
16.12	Capability hearings.....	36
16.20	Right to be accompanied at hearings.....	36
16.24	Stage 1: First Capability hearing.....	37
16.29	Stage 2: Second Capability hearing.....	37

16.34	Stage 3: Dismissal or Redeployment.....	39
16.40	Appeals	40
17.	Grievance Policy	40
17.1	General principles.....	40
17.8	Raising grievances informally.....	41
17.10	Written grievances.....	41
17.21	Appeals.....	42
17.25	Right to be accompanied	42

1. Handbook Introduction

- 1.1 Gainsborough Town Council prides itself on providing a high-quality service in all of its activities and the content of this Handbook, along with your Statement of Main Terms and Conditions of Employment, will provide you with the employment information you need as well as all of the policies and procedures you are expected to follow.
- 1.2 At the early stage of your employment, you will receive an induction informing you of relevant Council information. Such information will include the Health and Safety aspects of your environment.
- 1.3 Training and/or Continual Professional Development relevant to your position will be provided and you will be responsible to your Line Manager.
- 1.4 Your hours of work and all other key aspects of your employment are detailed in your Main Terms and Conditions of Employment, this employee handbook contains non-contractual procedures.
- 1.5 The Council welcomes you into our team and, as we have an open-door policy, please feel free to approach us with any concerns you may have, or to let us know of any areas you feel we, as a team, could improve upon.
- 1.6 We look forward to working with you.

2. Equal Opportunities Statement

- 2.1 Gainsborough Town Council is committed to providing equal opportunities for all employees, including job applicants.
- 2.2 The Council provides equal opportunities regardless of disability, skin colour, race, religion, religious or philosophical beliefs, age, sex, pregnancy and maternity, marital status, sexual orientation, gender reassignment, ethnic origin, or national origin.
- 2.3 Therefore, any employee found to be in breach of this equal opportunities policy, will be subject to disciplinary action in accordance with the disciplinary procedures as contained within this Handbook.
- 2.4 The full Equal Opportunities policy is available upon request from the Office.

3. Remuneration

3.1 Introduction

3.2 All employees' wages/salary will be paid as detailed below. In the event you have any concerns relating to your pay, you are asked to raise them with the Deputy Clerk and Responsible Financial Officer or in his/her absence the Town Clerk at the earliest opportunity.

3.3 If you have been underpaid for any reason, every effort will be made to rectify the matter as soon as is practicably possible.

3.4 Wages/Salary Payments

3.5 All employees will be paid on the 25th of each month direct to your designated Bank Account (this may vary due to statutory Bank Holidays).

3.6 You will receive a wage slip explaining how your pay is calculated and any deductions will be shown.

3.7 NJC Pay Rates

3.8 All staff are paid by reference to the National Joint Council (NJC) rates of pay which are reviewed on an annual basis and changes implemented on 1st April each year.

3.9 National Agreement on Pay and Conditions of Service

3.10 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.

3.11 In some cases, the Council may adopt its own policies and procedures.

3.12 Overtime and Time Off in Lieu

3.13 In general employees who are on flexitime arrangements will be expected to manage overtime worked in accordance with the flexitime policy.

3.14 Staff who are on fixed hours will be expected to take time off in lieu for occasional overtime 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.

- 3.15 Payment of overtime could be considered for certain types of work outside that happen outside of normal hours and particularly overnight. Examples of such types of work are caretaking work late in an evening or cemetery work during the night.
- 3.16 Should such work become routine the overtime arrangements should be specified in the contract.
- 3.17 Where overtime is required in an extraordinary situation permission authorisation should be sought from the appropriate Committee Chairman.
- 3.18 Where applicable the overtime rate will be 1.5 times the employee's normal rate of hourly pay.

3.19 Flexitime

- 3.20 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.
- 3.21 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.
- 3.22 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.
- 3.23 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.
- 3.24 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.
- 3.25 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.

3.26 Time off

3.27 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.

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

3.29 Reimbursable Expenses

3.30 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.

3.31 Insurance Premiums

3.32 If an officer 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.

3.33 Disclosure and Barring Service Checks (DBS)

3.34 Where required, employees will have to undergo a DBS check as an element of our work can be carried out in residential areas where there may be elderly living alone, living in sheltered housing, living in residential homes, young mothers with new babies, or children at a school.

3.35 The Disclosure and Barring Service will only issue DBS certificates to the applicant only. Therefore, the Council will ask all employees and prospective employees to show the necessary certification. Subject to an employee's written or verbal agreement, the Council will track/carry out a status check on their DBS certificate. Information will only be passed to those individuals authorised to receive it in the course of their duties.

3.36 Disclosure of information will only be used for the specific purpose that it has been requested for and for which the individual staff members consent has been sought.

3.37 A DBS check uses a range of different information sources, including the records of:

- the Police National Computer (PNC) and other data sources
- the Independent Safeguarding Authority

4. **Holiday Rules, Policy and Procedures**

4.1 **Introduction**

4.2 Gainsborough Town Council requires all employees to request holidays in accordance with the rules and procedures as set out below.

4.3 **Rules and procedures**

- Due to the nature of our business, you must, using the holiday request form (a holiday card to be presented to the Town Clerk or Deputy Clerk in their absence) give at least two weeks' notice of the requested dates.
- No more than 2 consecutive weeks may be taken at any one time. However, in special circumstances, a longer period of holiday/additional holidays may be granted by Town Clerk. Such requests must be made in writing.
- Employees are asked not to pay for any holidays e.g. abroad, prior to your request being granted by the Town Clerk. In the event your holiday request is refused, the Council will not be held accountable for any money or deposit you may lose.
- Holiday pay, including Bank Holiday payments, will be paid at your normal rate of pay.
- Part time employees will receive holiday pay and holiday days pro rata.
- All employees are permitted to carry over up to 5 days annual leave per year.
- 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.
- All employees must reserve holiday days for the Christmas and New Year should a close down period be set. Such dates will be communicated to you well in advance.

5. Additional Statutory Employee Rights

5.1 Introduction

5.2 There are several employment statutory rights (see list below), which apply to all qualifying employees within Gainsborough Town Council. Such rights include, for example, the right to take unpaid time off work to take care of a personal emergency.

5.3 As employment legislation has the potential to change or be updated twice yearly (but can be updated at any time), all employees are asked to discuss their situation/needs with your Line Manager. They will look into the qualifying criteria under current statutory requirements and entitlements. Once your situation and/or needs have been established, your entitlements (or not, if that is the case) will be explained to you and applied accordingly.

5.4 Examples of additional statutory leave/time off:

- Time off to attend jury service.
- Time off for training/educational needs.
- Maternity/Paternity/Adoption/Shared Parental leave and Parental Bereavement leave.
- Time off to take care of dependants in an emergency (e.g. child, parent etc.).
- Unpaid parental leave and shared parental leave (birth or adoption).

6. Health and Safety

6.1 Introduction

6.2 Gainsborough Town Council takes all reasonable precautions to provide and maintain safe and healthy working conditions which comply with duties under The Health and Safety at Work Act 1974 and The Management of Health & Safety at Work Regulations 1999. Such compliance, and how the Council manages this important area, is contained within the Health and Safety manual located at Richmond House. Also contained within this manual is the Council's Health and Safety Statement and Policy which you are entitled to view upon request.

6.3 Upon commencement of employment, all employees will be trained on all Health and Safety aspects of the Council's activities, and you are asked to place Health and Safety high on the agenda. With this in mind, the following points are designed to serve as a reminder of your duties under The Health and Safety at Work Act 1974.

6.4 Duty of employees

- All employees have a duty to take reasonable care of themselves and others, including visitors; this also applies when visiting clients/sites.
- Relevant employees shall not drive a Council vehicle if medication restricts their ability to do so. The Town Clerk and the Operations Manager must be informed immediately, and alternative duties will be arranged.
- Where relevant, employees must wear their protective clothing, e.g. gloves, overalls, hard hats, and other equipment, when carrying out specific duties and, if appropriate, whilst visiting clients' sites/premises.
- Employees shall request replacement protective clothing or equipment for damaged or misplaced items from the Operations Manager. Such clothing and equipment are stored at Richmond House.
- In the event you have an accident at work, whether you receive an injury or not, you must report it to the Town Clerk or the Deputy Clerk in his/her absence.
- All accidents and 'near misses' must be entered into the accident book which is situated at Richmond House.
- All employees shall inform The Town Clerk and the Operations Manager of any hazard or danger that may be a risk to the Health and Safety of themselves or others.
- All employees shall inform The Town Clerk and the Operations Manager of any actions displayed or acts or omissions committed by other employees which may cause a risk to Health and Safety.

6.5 Failure to abide by the Council's Health and Safety policy and procedures may result in disciplinary action being taken against you. Such action, dependent on the seriousness of the breach, or repeated breaches of the policy, may result in dismissal.

7. Alcohol and Drugs Policy

7.1 Alcohol and drug misuse or abuse can be a serious problem within the workplace. Employees who drink excessively or take unlawful drugs are more likely to work inefficiently, be absent from work, have work accidents and endanger their colleagues.

7.2 The Council has a duty to protect the health, safety, and welfare of all its employees. However, the Council recognises that, for a number of reasons, employees could develop alcohol or drug related problems. In relation to drugs, these rules apply to those that are unlawful under the criminal law and not to prescribed medication. These rules aim to promote a responsible attitude to drink and drugs and to help employees who may need it.

7.3 Advice and counselling

7.4 It is the Council's intention to deal constructively and sympathetically with an employee's alcohol or drug related problems, such as alcohol or drug dependency.

7.5 When it is known that an employee has an alcohol or drug problem, The Town Clerk will be able to provide advice and guidance on how to seek suitable treatment. The primary objective of any discussions will be to assist the employee with the problem in as compassionate and constructive a way as possible. Any discussions of the nature of an employee's alcohol or drug problem and the record of any treatment will be strictly confidential unless the employee agrees otherwise.

7.6 If you have an alcohol or drug problem, you should seek appropriate help. If you have an alcohol or drug problem which affects your conduct or performance at work and you refuse the opportunity to receive help, the matter will be referred for action under the Council's disciplinary procedure as appropriate. Likewise, if after accepting counselling and assistance, and following review and evaluation, your conduct or work performance reverts to the problem level, the matter may also be dealt with through the disciplinary procedure.

7.7 Prohibition on alcohol and drug consumption in the workplace

7.8 No alcohol or drugs must be brought onto or consumed on Council premises at any time or whilst attending any training courses, whether internal or external. Staff must never drink alcohol or take drugs if they are required to drive private or Council vehicles on Council business. Staff must also not drink alcohol or take drugs when they are on operational standby or on call.

7.9 Employees representing the Council at business, civic functions or conferences or attending Council organised social events outside normal

working hours are expected to be moderate if drinking alcohol and to take specific action to ensure they are well within the legal limits if they are driving. They are prohibited from taking drugs on these occasions.

- 7.10 Social drinking after normal working hours and away from the Council's premises is, of course, generally a personal matter and does not directly concern the Council. The Council's concern only arises when, because of the pattern or amount of drink involved, the employee's attendance, work performance or conduct at work deteriorates.
- 7.11 A breach of these provisions is a disciplinary offence and will be dealt with in accordance with the Council's disciplinary procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in the employee's summary dismissal.

7.12 Alcohol and drug related misconduct

- 7.13 Whilst these rules are aimed at assisting employees with alcohol or drug problems, action will nevertheless be taken under the Council's disciplinary procedure if misconduct takes place at work as a result of drinking or taking drugs, or if an employee is found to be under the influence of alcohol or drugs whilst at work.
- 7.14 Even a small amount of alcohol can affect work performance and, if an employee is found under the influence of alcohol whilst at work, there could be serious health and safety consequences. The same applies to being under the influence of drugs. Incapacity or misconduct caused by an excess of alcohol or drugs at work is a potential gross misconduct offence under the Council's disciplinary procedure and the employee is therefore liable to be summarily dismissed. This also applies to any employee believed to be buying or selling drugs or in possession of or taking drugs on the Council's premises.
- 7.15 The Council reserves the right in any of these circumstances to arrange for the employee to be escorted from the Council's premises immediately and sent home without pay for the rest of the day or shift.

7.16 Alcohol and drug testing

- 7.17 On the grounds of protecting health and safety and only where necessary to achieve a legitimate business aim, the Council reserves the right to carry out random alcohol and drug screening tests on those employees in the workplace whose activities and job duties have a significant impact on the health and safety of others.
- 7.18 If an employee receives a positive test result, this will be viewed as a potential gross misconduct offence and renders the employee liable to summary dismissal in accordance with the Council's disciplinary procedure. Unreasonable refusal to submit to an alcohol or drug-screening test will also be dealt with through the disciplinary procedure.

8. Emergency First Aid at work

- 8.1 In order to protect the wellbeing of our employees and to promote a safe working environment, the Council have trained emergency first aiders to deal with any emergency.

9. Smoking Policy

- 9.1 To comply with legislation, smoking is not permitted inside any of the Council buildings. This policy also includes Council vehicles. If you do smoke, this will only be allowed during authorised breaks and only in outside areas as explained to you during your induction.
- 9.2 The policy also includes the use of e-cigarettes.
- 9.3 Employees found to be in breach of this policy, which will be regarded as gross misconduct, will be subject to the disciplinary procedures as laid out in this Handbook.

10. CCTV Policy

- 10.1 The Council operate Closed Circuit Television (CCTV) throughout the business premises to ensure a safe and secure working environment for employees and all visitors.
- 10.2 The Council will use the images caught on CCTV to uphold any and all of its policies and procedures, including but not limited to its disciplinary procedures.
- 10.3 A full copy of the Council's CCTV policy is available from the Town Clerk or the Deputy Clerk in their absence.

11. Council Policies and Procedures

11.1 Introduction

- 11.2 As with all Companies, whether large or small, several policies and procedures have been devised and developed in conjunction with internal and external needs and requirements. That is to say, both employees and service users alike have been accommodated when

creating such policies, to ensure the business remains workable. One example of this is the absence policy as detailed below. This policy is designed to allow for preparation to cover absent employees where necessary, ensuring minimum disruption is caused.

- 11.3 Additionally, several other Council policies and procedures have been developed with the guidance of the HR advisor, legislation and/or other significant bodies, e.g. ACAS, an example of this being the Discipline and Grievance Procedures.

11.4 Continuous Service

- 11.5 For the purposes of entitlements to annual leave, sick pay arrangements, and maternity arrangements, continuous service includes continuous previous service with any public authority to which the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 applies.

11.6 Absence Rules, Policies and Procedures

- 11.7 In order for the Council to remain efficient and minimise any disruption, employees are asked to adhere to the absence and lateness reporting rules and procedures as set out below. By doing so, appropriate arrangements can be made to ensure adequate cover is available where and when necessary.

- Employees shall **not** report any period of absence or lateness by way of mobile text messages. This rule also applies to work related issues.
- Employees are asked to contact the Council as soon as possible before the commencement time of your working hours, as stated in your Main Terms and Conditions of Employment.
- Employees shall inform their Manager of the reason for each absence and expected date of return.
- Employees shall inform their Manager of the reason for each period of lateness.
- Where appropriate, employees shall remain in contact with the Council on a daily basis where periods of absences extend to more than 1 day.
- **Each** period of absence extending to 7 days or **less** must be supported by a self-certification form, available from the Town Clerk or Deputy Clerk. The form must be completed, stating the reason for your absence, signed, dated, and returned to him/her.

- **Each** period of absence extending to 7 days or **more** (including Saturday and Sunday) must be supported by a current Doctor's medical certificate/s for the duration of your absence. The certificate/s must be submitted to the Town Clerk or Deputy Clerk.
- Long term absences must be supported by consecutive Doctor's medical certificates.
- If the given date on a medical certificate lapses and you do not provide a replacement, you will be considered absent without authorisation.

11.8 Important

11.9 Although the Council is sympathetic to periods of absence due to illness, it may be considered necessary, where persistent, or long-term absences become a concern, to contact your Doctor and seek a medical report. This will only be exercised with your permission and in accordance with current statutory requirements.

11.10 The Council also reserves the right to require you to be independently medically examined at the Council's expense.

11.11 In the event an employee is absent, whether long term or intermittent, and the reason for such absences are found not to be genuine, disciplinary action may be taken which may ultimately lead to dismissal.

11.12 Illness & Statutory Sick Pay

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

11.14 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.

11.15 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.

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

Length of Continuous Employment	Council Sick Pay Entitlement Full Pay	Council Sick Pay Entitlement 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

11.17 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.

11.18 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.

11.19 Medical Appointments

11.20 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.

11.21 Parental Bereavement Leave

11.22 If, in the unfortunate circumstances you are a parent or a primary carer and suffer the loss of a child under the age of 18 or after 24 weeks pregnancy, you will be entitled to take up to 2 weeks' parental bereavement leave.

11.23 Employees who have sufficient service and earnings will be entitled to statutory parental bereavement pay for this period. Otherwise, you will be entitled to take up to 2 week's unpaid leave.

11.24 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk in his/her absence.

11.25 Bereavement Leave

11.26 Employees are asked to discuss their needs with Town Clerk or the Deputy Clerk in his/her absence. Such leave will be sensitively granted dependent on the situation and circumstances.

11.27 Redundancy

11.28 In the event the Council is faced with a potential risk of redundancies, employees will be fully consulted, and every effort will be made to avoid a redundancy situation, by fully exploring any options available.

11.29 Employee Checks

11.30 It is a condition of your employment to submit to random checks when requested to do so by a member of Management. Such checks may include for example, bags, cars, lockers, and your person. If you or your personal belongings are subject to a check, two members of Management will be in attendance. At least one Manager will be of the same sex as the person being checked. You may also request a work colleague, who is available at that specific time, to be present.

11.31 If unauthorised item/s of Council property or item/s belonging to someone else are found during the check, it/they will be confiscated pending further investigations.

11.32 If the investigations result in disciplinary action being taken, such action may result in dismissal.

11.33 Council Electronic Equipment

11.34 The Council has IT systems in place to assist relevant employees in their day-to-day tasks. The full procedures you must follow, and the prohibitions and restrictions of use, must be adhered to at all times. The policy and procedures when using the IT system will be communicated to you during your training.

11.35 A full policy is available from the Town Clerk or Deputy Clerk.

11.36 Additionally, and where relevant to your position within the Council, you may be supplied with a laptop to which the rules, as stated above, also apply. You are asked to take care of this valuable piece of equipment, particularly when visiting clients/sites. It must be locked away securely in the boot of your vehicle when not in use and your vehicle is unattended. This includes when visiting petrol stations or food outlets.

11.37 Theft, which is proved to be due to your negligence, will result in the cost of such equipment being recovered from you.

11.38 In the event you leave the Council, the laptop must be returned with all the existing data remaining intact, i.e. the memory must not be erased. Failure to return such equipment will result in the full cost of its recovery and/or a replacement charge being made to you.

11.39 Social Networking

- 11.40 Employees are not permitted, during work time or otherwise, whether using work IT systems or personal computer systems, to post, or in any way disseminate information relating to the Council, its business, its customers, or any of its employees on any website, online diary, personal blog, tweet, message board or social networking sites (e.g. Facebook, Twitter).
- 11.41 Non-compliance with this could lead to disciplinary action being taken which may amount to Gross Misconduct.
- 11.42 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

11.43 Appearance and Housekeeping

- 11.44 In order to promote a clean and healthy environment, all employees must attend work in clean laundered work clothes. This clean and healthy environment extends to the appearance of work rooms/areas and work equipment.

11.45 Anti-Corruption and Bribery Policy

- 11.46 It is the Council policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all of our business dealings and relationships, wherever we operate, as well as implementing and enforcing effective systems to counter bribery.
- 11.47 We will uphold all laws relevant to countering bribery and corruption. However, we remain bound by the laws of the UK, including the Bribery Act 2010, in respect of our conduct both at home and abroad.
- 11.48 Further information on the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

11.49 Whistle Blowing Policy

- 11.50 The aim of the policy is to ensure that our workers are confident that they can raise any matters of genuine concern without fear of reprisals, in the knowledge that they will be taken seriously and that the matters will be investigated appropriately and regarded as confidential.
- 11.51 A copy of the full policy is available from Town Clerk or Deputy Clerk.

11.52 Data Protection Act and General Data Protection Regulations

11.53 Everyone has rights, with regard to the way in which their personal data is handled. During the course of our activities, we will collect, store, and process personal data about our customers, suppliers, and other third parties, and we recognise that the correct and lawful treatment of this data, will maintain confidence in the organisation, and will provide for successful business operations.

11.54 Data users are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action. Likewise, the Council will ensure that it processes personal data of its employees in the correct manner. Employees will be made aware of the data we process and will be either asked for consent or be informed of the legal reason we are processing this data.

11.55 Further information about the Council's Data Protection policy, privacy policy and Data Retention Policy can be obtained from the Town Clerk or Deputy Clerk.

11.56 Insurance - Personal Accident and Assault

11.57 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.

11.58 Fidelity Guarantee

11.59 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.

11.60 Death in Service

11.61 In the event of an Employee's death in service, any salary, pension, or gratuities due to the employee will be paid the appointed individual.

11.62 Annual Performance Review (Appraisal)

11.63 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)

- 11.64 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.
- 11.65 The reviews should be seen as a positive process, which we believe are beneficial to both the employee and the Council.

11.66 Changes in Personal Details

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

11.68 Mobile Phones

- 11.69 Employees shall abide by the following rules when operating personal or Council mobile phones:

- Employees shall not operate their mobile phones whilst driving. In the event you do not have a hands-free kit for your Council vehicle, you must ensure you have stopped the car, parked it safely and turned off the engine prior to answering or making a call.
- Personal calls via a Council mobile phone must be limited unless the free use of such is authorised by a Line Manager. This also applies to the use of personal mobile phones during working hours.
- Employees found to be using their Council mobile phone for excessive personal use will be asked to pay for such use. This will be identified through the Council's mobile phone account.
- Employees shall not contact the Council concerning any work-related issues by way of mobile phone text messaging.
- In the event your employment is terminated, the Council mobile phone must be returned with all the existing numbers remaining intact, i.e. the phone's memory must not be erased. Failure to return such equipment will result in the full cost of its recovery and/or a replacement charge being made to you.
- Council mobile phones must not be left unattended whilst visiting clients/sites or left on view in Council vehicles. This includes when visiting petrol stations or food outlets.

- During working hours employees shall not use a camera function on a mobile phone (whether personally or Council owned) to take images or video unless they are for work related matters.
- The sending and/or receiving of 'suggestive' text messages or pictures on a mobile phone (whether personally or Council owned) is strictly prohibited whilst carrying out your duties.
- Employees found to be operating personal mobile phones, tablets, iPods, MP3 Players or similar, without permission, whilst carrying out their duties, will be subject to disciplinary action being taken against them.
- The theft of a Council mobile phone which is proven to be due to your negligence will result in the cost of such equipment being recovered from you.

11.70 Use and Maintenance Rules of Council Vehicles

11.71 Although a Council vehicle policy is available from the Town Clerk and Deputy Clerk all employees provided with a Council vehicle shall abide by the following:

- Council vehicle insurance only covers employees authorised to use the vehicles for Council purposes.
- Employees may only use Council vehicles for private use with the strict authorisation from a Line Manager.
- Personal driving licences will be requested annually. The Council will ask your permission to access your details from the DVLA web site, under the Data Protection Policy as laid out in this handbook. Or we may ask you to provide this yourself.
- Any road traffic offence(s) for which you are convicted, must immediately be communicated to a Line Manager.
- It is your responsibility to ensure annual services are booked and carried out by the Council's nominated service provider.
- Oil levels, tyre pressure, screen wash, water, emergency equipment, etc. must be maintained at a satisfactory level.
- The vehicles must be kept clean inside and out.
- Smoking is not permitted inside Council vehicles.

- In the event you leave the Council, the vehicle must be returned without delay or as agreed by a Line Manager. Failure to return it will result in the full cost of its recovery being charged to you.

11.72 Employees found to be in breach of this policy or driving a Council vehicle when not authorised to do so, will be subject to the appropriate level of disciplinary proceedings being taken.

11.73 Vehicle Tracking

11.74 The Council reserves the right to install monitoring devices such as satellite tracking systems in all Council vehicles to track the movement of the vehicle during business use. Such devices may record or transmit information such as the location of the vehicle, the distance it has covered, its speed and related information about the user's driving habits. An employee will be advised if a monitoring device has been installed, or will be installed, in their Council vehicle and will also be advised of the nature of the monitoring that will take place.

11.75 As Council vehicles may also be used for private use, the Council does not wish to monitor the vehicle when used privately. Therefore, where a monitoring device has been installed, a "privacy button" or similar arrangement will be provided to enable the monitoring to be disabled or deactivated by the employee during private use. Monitoring must not, however, be disabled at any time during business use. If any employee is discovered contravening this rule, they will face serious action under the Council's disciplinary procedure.

11.76 The purposes of vehicle tracking are to:

- ensure drivers are not in breach of the Working Time Regulations 1998
- help prevent accidents by monitoring driver speed and habits
- maximise driver performance and productivity and improve customer service
- improve fuel economy by monitoring and managing Council vehicles more effectively
- protect the health, safety, and welfare of lone drivers by ensuring they can be more easily located in the event of an emergency.

11.77 In some cases, the Council may be under a legal obligation to monitor the use of vehicles, even if used privately, for example by fitting a tachograph as a permanent fixture in a lorry. In these cases, the Council's legal obligation will always take precedence and the monitoring cannot be turned off.

11.78 The Council may use the information obtained from vehicle monitoring in any subsequent disciplinary action where the data shows there has been a breach by the employee of Council rules and procedures.

11.79 Satellite Navigation

- If your Council vehicle is fitted with a detachable, satellite navigation system you must ensure it is secure and locked in the glove box or boot compartment of your vehicle when it is unattended. This includes when visiting petrol stations or food outlets.
- In the event you leave the Council, the satellite navigation system must be returned with all data remaining intact, i.e. its memory must not be erased. Failure to return such equipment will result in the full cost of its recovery and/or a replacement charge being made to you.

11.80 Theft which is proved to be due to your negligence will result in the cost of such equipment being recovered from you.

11.81 Parking of Council Vehicles

11.82 Employees are asked to park in designated parking areas only. The Council will not be held accountable for fines incurred due to breaches of this policy.

11.83 It is a condition of your employment to ensure your vehicle is locked and secure when unattended and the keys are on your person. This includes when visiting a petrol station or food outlet.

11.84 Additionally, all valuables, including Council equipment must be stored in the boot. In the event the vehicle is stolen, due to it not being locked, or broken into due to Council equipment being on display, the Council reserves the right to reclaim any costs incurred from you.

11.85 Fines

11.86 Employees receiving any form of fine, i.e. speeding fine, parking ticket, toll or congestion charge fine whilst in charge of a Council vehicle shall be responsible for the full costs.

11.87 Council Documentation

11.88 All Council documentation, paperwork and information which will be at your disposal remain the Council's property. You are asked to take care of it all and not disclose confidential information to any other party. As the contents of such documents contain Council specific information, you

are also required to return such materials to the Council in the event your employment is terminated.

11.89 Social Events

11.90 The Council recognises the importance of a healthy social life for all of its employees, in order to strike a happy work/life balance. However, on occasions where the Council feels that your behaviour has brought its name into disrepute (e.g. Council social events and/or events organised or attended by other Council employees), the Council reserves the right to investigate such matters and if appropriate, instigate disciplinary procedures.

12. Anti-Harassment and Bullying Policy

- 12.1 The purpose of this policy is to ensure that all our workers are treated with dignity and respect and are free from harassment or other forms of bullying at work.
- 12.2 This policy is for guidance only and does not form part of your contract of employment.
- 12.3 Breach of this policy will be dealt with under our disciplinary procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.
- 12.4 A full copy of the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

13. Disciplinary Policy

13.1 General Principles

- 13.2 The aim of the disciplinary procedure and disciplinary rules is to provide a framework within which Managers can work with employees to maintain satisfactory standards of conduct, and to encourage improvement where necessary.
- 13.3 The disciplinary rules should be read in conjunction with our disciplinary procedure. Disciplinary action should only be taken in accordance with that procedure.

- 13.4 If you are in any doubt as to your responsibilities, or the standards of conduct expected, you should speak to your Manager.

13.5 Rules of Conduct

- 13.6 While employed by us you should at all times maintain professional and responsible standards of conduct. In particular you should (please note that this is a non-exhaustive list):

- observe the terms and conditions of your contract;
- observe all policies, procedures and regulations included in the Staff Handbook or notified to you from time to time by means of notice boards, email, the intranet or otherwise;
- take reasonable care in respect of the health and safety of employees and third parties;
- comply with all reasonable instructions given by our Managers; and
- act at all times in good faith and in the best interests of the Council, its customers, and employees.

- 13.7 Failure to maintain satisfactory standards of conduct may result in steps being taken under the disciplinary procedure.

13.8 Misconduct

- 13.9 The following are examples of matters that will normally be regarded as misconduct:

- minor breaches of Council policies, including the Sickness and Absence Policy, Electronic Information and Communications Systems Policy, and Health and Safety Policy;
- minor breaches of your employment contract;
- damage to, or unauthorised use of, Council property;
- poor timekeeping;
- time wasting;
- unauthorised absence from work;
- refusal to follow instructions;
- excessive use of Council telephone;
- excessive personal email or internet usage

- obscene language or other offensive behaviour;
- negligence in the performance of your duties; or

13.10 This list is intended as a guide and is not exhaustive.

13.11 Gross Misconduct

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

13.13 The following are examples of matters that are normally regarded as gross misconduct:

- theft or fraud;
- physical violence or bullying;
- deliberate and serious damage to property;
- serious misuse of our property or name;
- deliberately accessing internet sites containing pornographic, offensive, or obscene material;
- bringing the organisation into serious disrepute;
- serious incapability brought on by alcohol or illegal drugs;
- causing loss, damage, or injury through serious negligence;
- serious breach of health and safety rules;
- serious breach of confidence;
- theft, or unauthorised removal of our property or the property of an employee, contractor, customer, or member of the public;
- fraud, forgery, or other dishonesty, including fabrication of expense claims and time sheets;
- acceptance of bribes or other secret payments arising out of your employment;

- accepting a gift from a customer, supplier, contractor or other third party in connection with our employment without prior consent from your Manager;
- deliberate damage to buildings, fittings, property or equipment, or the property of an employee, contractor, customer, or member of the public;
- actual or threatened violence, or behaviour which provokes violence;
- conviction for a criminal offence that in our opinion may affect our reputation or our relationships with our employees, customers, or the public, or otherwise affects your suitability to remain an employee;
- being under the influence of alcohol, illegal drugs, or other substances during working hours;
- possession, use, supply, or attempted supply of illegal drugs;
- repeated or serious disobedience of instructions, or other serious act of insubordination;
- serious neglect of duties, or a serious or deliberate breach of your employment contract or operating procedures;
- serious or repeated breach of health and safety rules or serious misuse of safety equipment;
- knowing breach of statutory rules affecting your employment;
- unauthorised use or disclosure of confidential information or failure to ensure that confidential information in our possession is kept secure;
- unauthorised use, processing, or disclosure of personal data contrary to our Data Protection Policy;
- harassment or discrimination against employees, contractors, clients, or members of the public on the grounds of sex, marital status, gender reassignment, race, disability, religion, age, or sexual orientation contrary to the Equal Opportunities Policy or the Harassment and Bullying Policy.
- failure to disclose any of the information required for your employment or any other information that may have a bearing on the performance of your duties;

- giving false information as to qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits;
- knowingly taking parental, paternity or adoption leave when not eligible to do so, or for a purpose other than supporting a child;
- making a disclosure of information under the Whistle blowing Policy that is malicious or made for personal gain;
- making untrue allegations in bad faith against another employee;
- victimising another employee who has raised concerns, made a complaint or given evidence information under the Whistleblowing Policy, Grievance Procedure, Disciplinary Procedure or otherwise;
- serious misuse of our information technology systems (including misuse of developed or licensed software, use of unauthorised software and misuse of email and the internet) contrary to our Electronic Information and Communications Systems Policy;
- undertaking unauthorised employment during your working hours;
- entering an area of the premises which has been clearly designated as a prohibited area, without authorisation.

13.14 This list is intended as a guide and is not exhaustive.

13.15 General Principles

13.16 This procedure is for guidance only and does not form part of your contract of employment.

13.17 This procedure does not apply to cases involving:

13.18 genuine sickness absence;

13.19 proposed redundancies; or

13.20 poor performance or capability.

13.21 Minor conduct issues can normally be resolved informally between you and your Manager. These discussions should be held in private, and without undue delay, whenever there is cause for concern. In some cases, an informal verbal warning may be given, details of which will be placed on your personnel records. Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

- 13.22 Except in cases of gross misconduct or for short term service employees, you will not normally be dismissed for a first act of misconduct. Instead, we will normally give you a warning and a chance to improve.
- 13.23 Where disciplinary allegations are made against a short-term service employee, we may omit some of the steps set down in this procedure and/or vary some or all of the time limits.
- 13.24 Any steps under this procedure should be taken promptly unless there is a good reason for delay. We may vary any time limits if it is reasonable to do so.

13.25 Confidentiality

- 13.26 Our aim, during an investigation or disciplinary procedure, is to deal with matters sensitively and with due respect for the privacy of any individuals involved.
- 13.27 All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.
- 13.28 You are not permitted to make any electronic recordings of any investigative meetings, disciplinary or appeal hearings. Your representative, or any companions or witnesses who accompany you to any meetings or hearings are also forbidden from making electronic recordings.
- 13.29 You will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against you, unless, using our discretion, we believe that a witness' identity should remain confidential.
- 13.30 Witnesses must treat as confidential any information given to them in the course of an investigation, including the identity of any employees under investigation.

13.31 Investigations

- 13.32 The purpose of an investigation is for us to establish a fair and balanced view of the facts relating to any disciplinary allegations against you, before deciding whether to proceed with a disciplinary hearing. This may involve reviewing any relevant documents, interviewing you and any witnesses, and taking witness statements.
- 13.33 Investigative interviews are solely for the purpose of fact-finding, and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.

- 13.34 You do not normally have the right to bring a companion to an investigative interview. However, we may allow you to bring a companion if it helps you to overcome a difficulty caused by a disability, or any difficulty in understanding English.
- 13.35 You must cooperate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents and attending any investigative interviews.
- 13.36 The amount of investigation required will depend on the nature of the allegations and will vary from case to case.

13.37 Suspension

- 13.38 In cases of alleged gross misconduct, employees may be placed on investigatory suspension from work while an investigation and/or disciplinary procedure is ongoing. The suspension will be for no longer than is necessary to investigate the allegations and we will confirm the arrangements to you in writing. While suspended you should not visit our premises or contact any of our clients, customers, suppliers, contractors, or employees, unless you have been authorised to do so.
- 13.39 Suspension of this kind is not a disciplinary sanction and does not imply that any decision has already been made about your case. You will continue to receive your full basic salary and benefits during the period of suspension.

14. Formal Disciplinary Procedure

14.1 Written information

- 14.2 The Council reserve the right to depart from the precise requirements of the procedure where it is expedient to do so and where the resulting treatment of the employees is no less fair.
- 14.3 Following any investigation, if we consider there are grounds for disciplinary action, we will inform you in writing of the allegations against you and the basis for those allegations. This will normally include:
- a summary of relevant information gathered during the investigation
 - documents which will be used at the disciplinary hearing
- 14.4 You will have a reasonable opportunity to consider this information before the hearing.

14.5 Disciplinary hearing

- 14.6 We will give you written notice of the date, time, and place of the disciplinary hearing, which will normally be held between two days and one week after you receive the written notice.
- 14.7 You may bring a companion with you to the disciplinary hearing.
- 14.8 You must take all reasonable steps to attend the hearing. Failure to attend the hearing without good reason may be treated as misconduct in itself. If you or your companion cannot attend at the time specified, you should inform us immediately and we will seek to agree an alternative time.
- 14.9 The purpose of the disciplinary hearing is to review the evidence and to enable you to respond to any allegations that have been made against you. If you have a companion, he or she may make representations to us and ask questions but should not answer questions on your behalf. You may confer privately with your companion at any time during the hearing.
- 14.10 The disciplinary hearing may be adjourned if we need to carry out any further investigations. For example, we may decide to re-interview witnesses in the light of any new points that have been raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 14.11 Within one week of the disciplinary hearing, we will inform you in writing of our decision (including details of any misconduct we consider you have committed; and the disciplinary sanction to be applied) together with the reasons for our decision. We will also inform you of your right to appeal.

14.12 Appeals

- 14.13 If you wish to appeal you should do so in writing, stating your full grounds of appeal, within one week of the date on which you were informed of the decision.
- 14.14 We will give you written notice of the date, time, and place of the appeal hearing. This will normally be between two days and one week after you receive the written notice. In cases of dismissal the appeal will be held as soon as possible.
- 14.15 Where practicable, the appeal hearing will be conducted by a Manager who is no less senior to the person who conducted the disciplinary hearing. You may bring a companion with you to the appeal meeting.

14.16 We will inform you in writing of our final decision within one week of the appeal hearing. There will be no further right of appeal.

14.17 The date on which any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, you will be reinstated with no loss of continuity of pay.

14.18 **Right to be accompanied**

14.19 You may bring a companion to any disciplinary or appeal hearings under this procedure. The companion may be either a Trade Union Official or a work colleague.

14.20 If your choice of companion is unreasonable, we may ask you to choose someone else. For example:

- if in our opinion your companion may have a conflict of interest or may prejudice the hearing; or
- if your companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days.

15. **Dismissals and Disciplinary Action**

15.1 **Disciplinary sanctions**

15.2 We aim to treat all employees fairly and consistently. Disciplinary action previously taken against other employees for similar misconduct will usually be considered but should not be treated as a precedent. Each case will be assessed on its own merits.

15.3 Depending on the seriousness of the matter any of the following stages may be omitted.

15.4 **Stage 1: Verbal warning**

15.5 You may be given a verbal warning for a minor act of misconduct where you have no other active warnings on your disciplinary record.

15.6 The warning will be confirmed in a letter to you which will set out the nature of the misconduct, the change in behaviour required and the likely consequences of further misconduct

15.7 A record of the warning will be placed permanently on your personnel file and will remain active for six months from the date it is given, after which

time it will be disregarded in deciding the outcome of future disciplinary proceedings.

15.8 Stage 2: First written warning

15.9 A first written warning will usually be given for:

- first acts of misconduct where there are no other active warnings on your disciplinary record; or
- minor misconduct where there is an active verbal warning on your record.

15.10 The warning will set out the nature of the misconduct, the change in behaviour required and the likely consequences of further misconduct.

15.11 The warning will be placed permanently on your personnel file and will remain active for six months from the date it is given, after which time it will be disregarded in deciding the outcome of future disciplinary proceedings.

15.12 Stage 3: Final written warning

15.13 A final written warning will usually be given for:

- misconduct where there is already an active written warning on your record; or
- cases where there is no active warning on file, but we consider that the misconduct is sufficiently serious to warrant a final written warning.

15.14 The warning will set out the nature of the misconduct, the change in behaviour required and the likely consequences of further misconduct.

15.15 The warning will be placed permanently on your personnel file and will normally remain active for 12 months or, if we decide that this matter is more serious, for a longer period. Your conduct may be reviewed at the end of this period and, if it has not improved sufficiently, we may decide to extend the active period. After the active period, it will be disregarded in deciding the result of future disciplinary proceedings.

15.16 Stage 4: Dismissal

15.17 We may decide to dismiss you in the following circumstances:

- misconduct by short term service employees

- misconduct where there is an active final written warning on your record; or
- gross misconduct regardless of whether you have received any previous warnings.

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

15.19 Alternative sanctions short of dismissal

15.20 In appropriate cases we may consider some other sanction short of dismissal, such as:

- demotion;
- transfer to another department;
- period of suspension without pay;
- loss of seniority;
- reduction in pay;
- loss of future pay increment or bonus;
- loss of overtime.

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

16. Capability Policy

16.1 Policy and Principles

16.2 The primary aim of this procedure is to provide a framework within which Managers can work with employees to maintain satisfactory performance standards and to encourage improvement where necessary.

16.3 It is our policy to ensure that concerns over performance are dealt with fairly and that steps are taken to establish the facts. Employees should be given:

- a written statement of the reasons for concern;
- a fair hearing; and
- the right to an appeal hearing

16.4 Employees will not normally be dismissed for performance reasons without previous warnings. However, in serious cases of negligence, or in any case involving an employee who has not yet completed 2 years' service, dismissal without previous warnings may be appropriate.

16.5 Disabilities

16.6 At each stage, consideration should be given to whether the unsatisfactory performance is related to a disability and if so, whether there are reasonable adjustments that could be made to the requirements of the job or other aspects of the working arrangements.

16.7 If you have difficulty at any stage of the procedure because of a disability or wish to inform us of a medical condition you consider relevant, you should tell us.

16.8 Informal discussions

16.9 In the first instance, performance issues may be dealt with informally between you and your Manager as part of day-to-day management. Informal discussions may be held with a view to (for example):

- clarifying the required standards;
- identifying areas of concern;
- establishing the likely causes of poor performance and identifying any training needs;
- setting targets for improvement; and/or
- agreeing a timescale for review.

16.10 In some cases, an informal verbal warning may be given if the Manager deems it appropriate. There is no right of appeal.

16.11 The formal procedure will be used for more serious cases, or in any case where informal discussions have not resulted in a satisfactory improvement.

16.12 Capability hearings

- 16.13 A capability hearing will be held at each stage of the procedure.
- 16.14 Unless it is impractical to do so, we will give you at least 48 hours written notice of the date, time, and place of the capability hearing.
- 16.15 We will inform you in writing of our concerns over your performance and the basis for those concerns. You will have a reasonable opportunity to consider this information before the hearing.
- 16.16 We reserve the right to depart from any stage of the process where the circumstances warrant it.
- 16.17 You must take all reasonable steps to attend the hearing. Failure to attend a hearing without good reason may be treated as misconduct. If you or your companion cannot attend at the time specified, you should inform us immediately and we will seek to agree an alternative time.
- 16.18 A hearing may be adjourned if we need to gather any further information or consider matters discussed at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 16.19 We will give you written confirmation of our decision, the reasons for it, and your right of appeal, within one week of a capability hearing (unless this time scale is not practicable), in which case we will confirm this information as soon as is practicable.

16.20 Right to be accompanied at hearings

- 16.21 You may bring a companion to any capability or appeal hearings under this procedure. The companion may be either a Trade Union Official or a work colleague. You must tell the Manager conducting the hearing, in good time before the hearing, who your chosen companion is.
- 16.22 In some circumstances your choice of companion may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice the hearing.
- 16.23 Your companion may make representations, ask questions, and sum up your case, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

16.24 Stage 1: First Capability hearing

16.25 Where performance is unsatisfactory, a first capability hearing will be held.

16.26 The purposes of the first capability hearing include:

- setting out the required standards that are considered not to have been met;
- establishing the likely causes of poor performance;
- allowing you the opportunity to explain the poor performance and ask any relevant questions;
- discussing measures, such as additional training or supervision, which may improve performance;
- setting targets for improvement; and
- setting a timescale for review

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

- the areas in which you have not met the required performance standards;
- targets for improvement;
- any measures, such as additional training or supervision, which will be taken with a view to improving performance;
- a timescale for review; and
- the consequences of failing to improve within the review period, or of further unsatisfactory performance.

16.28 Your performance will be monitored and is likely to include a review period.

16.29 Stage 2: Second Capability hearing

16.30 If your performance does not improve within the first written warning period, or if there are further instances of poor performance while your first written warning is still active, we will hold a second capability hearing.

16.31 The purposes of the second capability hearing include:

- setting out the required standards that are considered not to have been met;
- establishing the likely causes of poor performance, including any reasons why the measures taken so far have not led to the required improvement;
- allowing you the opportunity to explain the poor performance and ask any relevant questions;
- identifying further measures, such as additional training or supervision, which may improve performance;
- setting targets for improvement; and
- setting a timescale for review.

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

- the areas in which you have not met the required performance standards;
- targets for improvement;
- any measures, such as additional training or supervision, which will be taken with a view to improving performance;
- a further timescale for review; and
- the consequences of failing to improve within the timescale, or of further unsatisfactory performance.

16.33 Your performance will be monitored and may include a review period.

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

16.34 Stage 3: Dismissal or Redeployment

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

16.36 The purposes of the stage 3 hearing include:

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

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

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

- re-deploy you into another suitable job at the same or (if your contract permits) lower grade; or
- dismiss you.

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

16.40 Appeals

- 16.41 You may appeal against the outcome of any stage of the formal capability procedure. If you wish to appeal you should do so in writing, stating your full grounds of appeal within one week of the date on which you were informed of the decision.
- 16.42 Unless it is not practicable, we will give you between two days and one week's written notice of the appeal hearing. In cases of dismissal the appeal will be held as soon as possible.
- 16.43 Where practicable, the appeal hearing will be held by a Manager who is senior to the person who conducted the capability hearing. You may bring a companion with you to the appeal meeting.
- 16.44 Our final decision will be confirmed to you in writing, if possible, within one week of the appeal hearing. There will be no further right of appeal.
- 16.45 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss you will be revoked with no loss of continuity or pay.

17. Grievance Policy

17.1 General principles

- 17.2 It is our policy to ensure that all employees have access to a procedure to help resolve any grievances relating to their employment, quickly and fairly.
- 17.3 This grievance procedure is for guidance only and does not form part of your contract of employment.
- 17.4 This procedure applies to all employees, regardless of length of service.
- 17.5 Any steps under this procedure should be taken promptly unless there is a good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so.
- 17.6 We may vary this procedure as appropriate to a particular case. The procedure may also be discontinued if it becomes impracticable for either party to continue with it. In any case we will inform you in writing of the final outcome of your grievance.
- 17.7 Written grievances will be placed on your personnel file, along with a record of any decisions taken; any appeal notice; the outcome of any

appeal; and any notes or other documents compiled during the grievance process.

17.8 Raising grievances informally

17.9 Most grievances can be resolved quickly and informally through discussion with your Manager. If this does not resolve the problem, you should follow the standard procedure below.

17.10 Written grievances

17.11 You should put your grievance in writing and submit it to your Manager unless the grievance is about your manager, in which case your grievance should be submitted to his/her Manager.

17.12 The written grievance should indicate that you are invoking this grievance procedure and contain a brief description of the reasons for your complaint, including any relevant facts, dates, and names of individuals involved. In some situations, we may need to ask you to clarify the subject matter of your grievance in advance of the meeting, or to provide further information.

17.13 Meetings and investigations

17.14 You will be invited to a grievance meeting, which will normally take place no more than two weeks after we have received your written grievance.

17.15 We may carry out such investigations as we consider appropriate prior to the meeting. This may involve interviewing you and any witnesses.

17.16 You may bring a companion to any of the meetings under this procedure.

17.17 You must take all reasonable steps to attend any meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will make reasonable efforts to agree an alternative time.

17.18 The purpose of the initial grievance meeting is to enable you to explain your grievance and to discuss it with us. If you have a companion, they may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.

17.19 After the initial grievance meeting, we may carry out such further investigations and/or hold such further grievance meetings as we consider appropriate.

17.20 We will inform you of our decision and of your right of appeal, within two weeks of the final grievance meeting. This will be confirmed in writing.

17.21 Appeals

17.22 Should you wish to appeal you should do so in writing, stating your full grounds of appeal, within two weeks of the date on which the decision was sent or given to you.

17.23 We will hold an appeal meeting, normally no more than two weeks after we receive your appeal. Where practicable, this will be held by someone senior to the person who conducted the grievance meeting(s). You may bring a companion to the appeal hearing.

17.24 Our final decision will be notified to you within one week of the appeal hearing. This will be confirmed in writing.

17.25 Right to be accompanied

17.26 You may bring a companion to any meetings held under this procedure. The companion may be either a Trade Union Official or a work colleague. You must tell the person holding the meeting, in good time beforehand, who your chosen companion is. Employees are allowed reasonable time off from duties to be a companion, without loss of pay.

17.27 In some circumstances your choice of companion may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice the meeting. We may also ask you to choose someone else if the meeting would have to be delayed for over five working days because your companion is unavailable.

PAPER C

**Officer Report to
the Personnel Committee**

Report Author: Tom Clay

Report Date: 8 April 2021



Gainsborough
TOWN COUNCIL

Subject: Seasonal Grounds Maintenance Operative

1. Summary

- 1.1 The report will briefly summarise the options open to the Council in relation to the Seasonal Grounds Maintenance Operative post. The position will be referred to as 'the Seasonal' in the rest of the report.

2. Background

- 2.1 As part of the current staffing structure there is a Seasonal. The grade for the post is a spot salary set at SCP 2.
- 2.2 Ideally the Seasonal would be in place over the growing season which would be roughly from the end of March to the start of October.
- 2.3 Last year the Town Council did not appoint someone to the post. Standards of work were maintained at a high level. However, the lack of a Seasonal increased the workload for other members of the Grounds Team.
- 2.4 This year the Town Council has set two deadlines for applications. To date only one application has been received which has not gone through to interview.
- 2.5 The Committee considered the future of the post earlier in the year. The rest of this report is for the most part taken from one earlier in the year setting out options for the post.
- 2.6 For some time, Members have been considering what should happen with the role. It was resolved that Members should research the issue and feedback into the Committee.
- 2.7 Lincolnshire College contacted the Town Clerk towards the end of last year. This was an unsolicited call, but as they mentioned apprenticeships a conversation was had.
- 2.8 In a conversation over several emails and phone calls options were provided to the Council. These options form the basis for section three below.

3. Options

- 3.1 The options are listed underneath for consideration.

Option 1 – Appoint a Seasonal

- 3.2 This option is the most straightforward and would see a Seasonal appointed as soon as possible.
- 3.3 The normal recruitment process for grounds maintenance operatives would be undertaken.

- 3.4 This option has the advantage of being straightforward, comparatively quick and the Town Council would have total control over the recruitment process.
- 3.5 As the budget has been set and the staff structure set there would be no negative effect in those regards.
- 3.6 However, Members have made clear that they wish to explore the possibility of other arrangements. This option would not see that happen in the 2021-22 financial year.

Option 2 – Kickstart Scheme

- 3.7 This option would see the Kickstart Scheme utilised instead of appointing a Seasonal. Information about the scheme can be found at appendix A.
- 3.8 Lincolnshire College has advised that they have a lot of Kickstart vacancies and are finding that it is taking 8-12 weeks to complete recruitment.
- 3.9 As discussed, the aim of this scheme is to provide opportunities for paid work and employability training to help offset the impact on the jobs market of Covid-19 with young people, to be eligible for the course applicants must:
 - Be aged 16-24 years
 - Claiming Universal Credit
 - Be referred to the scheme through the Department for Work and Pensions.
- 3.10 Placements must include:
 - 25hrs per week
 - Employers pay the wages and is re-imbursed monthly in arrears.
- 3.11 Funding is available from the government for the kickstart scheme and this includes:
 - Wages are re-imbursed by the government in arrears
 - £1,500 grant to cover recruitment, training, and Equipment PPE.
- 3.12 This option has the advantage of providing an opportunity from a young person in the community to gain experience. It would also assist the Council in meeting certain costs for training and equipment.
- 3.13 The disadvantages are the timescale is quite long for recruitment and the Town Council would have limited control over the process.
- 3.14 Given the age profile it might be that there are certain types of equipment or jobs that could not be undertaken.
- 3.15 The Kickstart Scheme is not intended to be a long-term employment opportunity like an apprenticeship. There is also not an expectation that it would lead to a position a specific position with the Council.

Option 3 - Apprenticeship

- 3.16 From our discussions had with the College the most suitable apprenticeship would be the Horticultural or Landscape Operative. Unfortunately, this is not a qualification that Lincoln College provides.
- 3.17 Details about the course can be found at appendix B or on the link below:

<https://www.instituteforapprenticeships.org/apprenticeship-standards/horticulture-or-landscape-operative-v1-0>

3.18 If the Town Council considered this a suitable option the nearest provider would, according to Lincolnshire College, be Riseholme College.

3.19 The funding and other rules have been summarised by Lincolnshire College as follows:

- Funding for apprenticeships: If you are an SME that does not pay into the levy, the government will fund 95% of the apprenticeship with a 5% contribution from the employer; for example with the level 2 Hospitality Team Member the funding is £4,000 so your 5% contribution would be £200. However, if you have less than 50 employees and take on an apprentice aged under 19 (on the date they enrol on the apprenticeship course) the government will pay for the full training costs.
- Apprentices wages: All Apprentices must receive the minimum apprenticeship wage of £4.15 per hour within their first year of training from their employer, although employers can choose to pay more. In the second and subsequent years of an apprenticeship programme, the national minimum wage for their age would apply.
- Working Hours: All learners on an apprenticeship programme ideally need to work a minimum of 30hrs per week, A minimum of 20 hrs per week is possible but this will extend the length of the programme.
- Contracts: All apprentices must have a contract that covers the length of the apprenticeship including the end point assessment.
- 20% Learning: All apprentices must spend 20% of their working hours developing the skills, knowledge and behaviours contained within their course.
- Employment Terms: Apprentices are your employees and so employment policy and procedures, for example disciplinary or GDPR will be the same as with any other employee.

3.20 This option has been talked about by Members for some time. It would see the Council appoint an apprentice instead of a Seasonal.

3.21 The advantages of this are that a person from the community would receive training and employment. It would also provide the Town Council with a more long-term solution than the Seasonal role or the Kickstart scheme.

3.22 However, it is the most complicated option open to the Council. It would require further investigation and it is doubtful that someone would be in place before the start of the growing season.

3.23 Whilst not a disadvantage the requirement that a specific amount of training be provided might be difficult to sustain over the long-term.

3.24 Whilst not a legal requirement there is often an expectation that an apprenticeship would lead to a permanent position. Members might wish to

consider if there is scope for a permanent role at the end of the apprenticeship.

Option 4 – Continue to research the matter

3.25 Members could opt to continue to research the matter further come up with other options.

3.26 There is for instance a significant body of work required in mapping and updating various databases relating to allotments, cemeteries and garages.

3.27 The risk involved with this option is that it reduces the number of posts carrying out grounds maintenance work.

4. Risk, budget, and policy implications

4.1 The recommendations in this report conform to Standing Orders and Financial Regulations.

4.2 The budgetary impacts of each option differ greatly.

4.3 There are no implications in relation to the Seasonal option 1 as that is already budgeted for.

4.4 The second option of Kickstart would appear to have no impact on the budget.

4.5 The budget requirements related to an apprenticeship are more complicated and would have to be considered at greater length.

4.6 No training needs for existing staff are anticipated.

4.7 There is no requirement for new policies. However, depending on the decision made the staffing structure in relation to the Seasonal might need to be reviewed.

4.8 The risks and disadvantages are set out in the body of the report.

5. Recommendation

5.1 The Committee is recommended to consider the options and instruct the Town Clerk about what action to take.

BE EXTRAORDINARY

EMPLOYER-LED; PRODUCING A HIGHLY SKILLED AND PRODUCTIVE LOCAL WORKFORCE

The
Lincoln College
Group



KICKSTART
SCHEME

What is the Kickstart scheme?

- The Department for Work and Pensions have launched a £2 billion Kickstart Scheme which will put young people at the heart of the economic recovery
- Kickstart criteria is;
 - For young people aged 16-24 years of age
 - Participants must be claiming Universal Credit
 - Participants must be referred to the scheme via JCP Work Coach
 - Businesses offer 6 months job placements
 - Job placements must be for a minimum of 25 hours per week
 - Job placements will be paid at National Minimum wage – which is funded via the Scheme.
 - Kickstart is for any business across all sectors including the private, public and voluntary and community sectors
- Businesses that wish to employ 30 or more young people through the scheme can apply directly to the Government
- Those who wish to offer less than 30 job placements must apply via in intermediary organisation

What funding is available?

- > 25 hours per week placement –
 - > Paid at National Minimum Wage
 - > Employer pays wages and is re-imbursed by monthly on arrears
- > £1500 wrap around funding – to cover:-
 - > Recruitment service
 - > Training
 - > Equipment/PPE

How Lincoln College will support you.

Application - We will take care of the administration and apply for all of the vacancies on your behalf.

Recruitment and selection

- Manage the recruitment and selection.
- Arrange interviews with suitable applicants.

Skills Training

- Provide employability training including CV writing, interview skills.
- Level 1 or Level 2 Sector Specific accredited training.

Progression opportunities - Further support for applicants to progress onto training, apprenticeships and employment.

Further support - We will support you to access any additional local grant funding and offer training for your existing staff.

Practical support to get the best out of your placement.

- Develop an interesting and engaging placement, with structured support and mentoring.
- Outline the support that is required (for example training relevant to the role or organisation and helping them with writing their CV and preparing for an interview).
- Consider when this support should be provided (for example half way through their placement or towards the end).
- Consider how many hours it will take.
- Consider who will provide the support.
- Consider how the support will be monitored (on and off the job).
- Consider how the participant can provide feedback during their placement and afterwards, and how this will be acted on if needed.

PAPER C - APPENDIX B

HORTICULTURE OR LANDSCAPE OPERATIVE

Reference Number: ST0225

Details of standard

Occupational profile

Horticulture or landscape operatives can be employed to work in public parks and gardens, green spaces and historic gardens, private gardens and estates or in production nurseries and retail outlets. Many businesses will be specialised in their activities, such as grounds maintenance (soft-landscape) or landscape construction (hard-landscape). Soft-landscaping includes the establishment and maintenance of plants and cultivated areas. Hard-landscaping includes establishment of hard surfaces and structures in addition to the establishment of plants in cultivated areas.

The distinct nature of these two specialisms means very few businesses can offer the full breadth of skills and therefore two options are available for this occupation; horticulture and landscape construction. The employment area will dictate the option pursued. The horticulture option focuses on plant propagation and plant growth. The landscape construction option focuses on the installation of features and structures; application of landscape materials as well as supporting site management.

Work is generally based outside and undertaken throughout the year, so apprentices will frequently work outside in all weathers. Often people new to the industry will start in a 'hands-on' role covering a range of practical tasks, with specialist skills being learnt through progression. A wide range of machinery and tools are used and additional training may be required depending on the nature of the works undertaken.

Working and learning in the horticulture and landscape industries is rewarding, offers a diverse range of employment opportunities and includes a range of skills that are transferrable into many other industries.

Required skills, knowledge and behaviours to complete this apprenticeship

Core knowledge - have an understanding of:

Industry understanding; the importance and benefits of green-space and the types of horticultural skills appropriate to different businesses and cultural sites.

Business; business policies, vision and values. Workers' contribution to earning profit and awareness of commercial pressure. Understanding of how project management informs a team to achieve objectives.

Communication; the importance of clear communication. Knowledge of different forms of communication aids and their use. The value of effective and timely communication in customer care.

Health and safety; health and safety regulation, legislation, policy and procedure and the responsibility of workers. Knowledge of hazards and working to strict health, safety, quality and environmental (HSQE) processes particularly appropriate to horticultural sites.

Environmental; waste and waste reduction and recycling and environmental best practice. Prevention and control of local pollution incidents.

Plant growth and development; plant nutrition and plant requirements. The principles of germination, photosynthesis, respiration and transpiration (the science of plant growth). How to care for plants

correctly in different environments. The relationship between environmental conditions and plant growth.

Tools, equipment and machinery; correct tools, equipment and machinery required for the job and the importance of maintenance and regular checks of these items to ensure they remain in good working order. Legal requirement of training by a competent person and familiarity with operator training and certification requirements.

Vegetation control; how to control vegetation and methods of site clearance and removal of vegetation

Biosecurity; biosecurity and phytosanitary measures for pests and diseases and how these apply to work sites. Awareness of invasive alien species that may impact work methods.

Plant identification; plant identification by scientific names including genus, species and cultivar. Know why and how plants are identified.

Soil science; why, when and how to cultivate soils for differing purposes. Different growing media and mulches. How to modify soils for plant growth and understand the reasons for cultivation and drainage.

Plant health; basic pest and disease identification and symptoms and control methods.

Core skills - able to:

Communication; communicate with others, including clients, the public and colleagues, this may require basic IT systems use.

Team working; work alone and as part of a team effectively and recognise how all staff are dependent on each other to meet business objectives.

Health and safety; apply relevant health and safety processes and procedures. Implement specific industry information on hazards relevant to horticultural environments. Follow safe systems of work and safety information provided by employer. Implement environmental protection policies and procedures.

Environmental; prevent and control local pollution incidents e.g. use of spill kits.

Planting, plant growth and development; care for plants correctly in different environments, including basic irrigation methods, planting methods and identifying plant deficiencies. Install various soft-landscape materials e.g. shrubs, trees, herbaceous, bedding, grass areas and seed. This will include site preparation, planting, sowing, turfing, preparation of seed beds and mulching.

Soil cultivation; cultivate and improve soils by mechanical methods and by hand, making and amelioration of growing media and soils.

Tools, equipment and machinery; safely use tools e.g. spades, rakes, shovels; equipment e.g. tape measure and spirit level and machinery e.g. pedestrian controlled mowers, hand held strimmer, hedgecutter.

Vegetation control; follow processes and methods of site clearance, using tools and machinery for pruning and vegetation control, including basic turf management. Follow weed control methods.

Maintain hard structures; maintain structures relevant to the business activities.

Site presentation; work to a specified finish.

For the landscape construction role, additional knowledge and skills required:

Knowledge – have an understanding of;

- Methods used to measure and set out a site g. use of tape measures and measuring wheels, defining features by using string lines or aerosol markers, the principles in defining site levels using manual or electrical equipment.
- Marking out hazards such as Interpretation of construction drawings and specifications e.g. quantities, measurements and positioning. The safe use of abrasive wheels for cutting hard landscape materials during construction.
- Water feature construction methods g. linings, pumps, water courses.

Skills – be able to;

- Install various hard-landscape construction features and structures g. paths, patios, fences and walls. This will include basic brick laying, paving, timber decking, setting levels, services identification.
- Free hand cutting and bench cutting of hard landscape materials during construction using abrasive wheels.
- Assess and repair hard structures; evaluate hazards and damage and if appropriate carry out repair or report. Examples include broken drainage, rotten timber, cracked paving stone, frost damage brick work.

For the horticulture role additional knowledge and skills required:

Knowledge – have an understanding of;

- The range and application of different growing media for plant production and propagation. The principles and methods of watering techniques including irrigation systems and hand watering.
- Ornamental turf management through basic maintenance; including mowing, aeration, scarification, and top How to monitor for issues including damage, water issues, pests and diseases
- Ornamental aquatic environments including organic matter control both inside and around the feature and monitoring for any maintenance or safety issues.

Skills – able to;

- Undertake correct pruning techniques for a range of plants.
- Cultivate and maintain soft-landscape elements g. shrubs, trees, herbaceous, bedding, grass areas and seed. Assist the establishment of an area of turf through laying, irrigation, maintenance, and allowing appropriate establishment time before use.
- Undertake basic propagation skills including division, cuttings, seed sowing and seed collection.
- Work without causing damage to features present such as irrigation, turf and aquatic environments.

Core behaviours

Health and safety; have a safety-led mind-set for self, colleagues and the public.

Customer care; show dignity, respect and empathy when dealing with others, including clients, the public and colleagues.

Learn: learn behaviours, skills and knowledge effectively from craftspeople and managers.

Attitude; have a positive and motivated attitude towards work, including having pride in one's work.

Decision making; adopt a pragmatic timely approach by identifying appropriate solutions to practical problems.

Typical job titles:

Typical job titles: Horticulturalist and Landscape gardener

Apprenticeship duration

The typical duration for this apprenticeship is 24 months.

Core qualifications

The following qualifications will be required prior to taking the end point assessment.

Emergency first aid: Level 3 award in emergency first aid at work.

Pesticides: Level 2 Principles of Safe Handling and Application of Pesticides Guidance OR Level 2 Award in the Safe Use of Pesticides

English and maths: Apprentices without level 2 English and maths must achieve level 1 and take the test for level 2 before taking the end-point assessment.

To comply with legislation and industry standards, individuals who wish to work in some sectors of the industry may have to complete additional certificates of training, statutory licences and health and safety approved competency cards in order to be permitted on to a worksite

All First Aid at Work qualifications taken as a part of this apprenticeship must be regulated by Ofqual. However it came to light that this was unclear and some apprentices have undertaken non Ofqual regulated Emergency First Aid at Work qualifications which comply with Health and Safety (First Aid) Regulations 1998. In order that apprentices are not disadvantaged who hold these qualifications, the employers have agreed that they can enter end-point assessment (providing all other requirements have been met) up until Tuesday 30th June 2020. As from Wednesday 1st July 2020, all apprentices entering EPA, must have completed an Ofqual regulated, Level 3 Emergency First Aid at Work (EFAW) one day course.

Apprenticeship level

This apprenticeship standard is at level 2.

Review date

3 years from Implementation

Crown copyright © 2021. You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit www.nationalarchives.gov.uk/doc/open-government-licence

Find an apprenticeship

Version log

VERSION	CHANGE DETAIL	EARLIEST START DATE	LATEST START DATE	LATEST END DATE
1.0	Approved for delivery	27/06/2017	Not set	Not set

PAPER D

**Officer Report to
the Personnel Committee**
Report Author: Rachel Allbones
Report Date: 29 April 2021



Gainsborough
TOWN COUNCIL

Subject: Office Working Arrangements (Update)

1. Summary

- 1.1 The report will provide an update on office working arrangements at Richmond Park.

2. Background

- 2.1 Covid 19 has had a large impact on virtually every section of society and the way it works. The Town Council is no different. The focus of this report will be on office-based staff.
- 2.2 Since lockdown measures were introduced on 23 March 2020 office-based staff have for the most part worked from home.
- 2.3 It had been hoped in early September 2020 that a return to the office could be managed in-year. Unfortunately, like so many other workplaces this has proven to be challenging because of a combination of changing government advice and national lockdowns.
- 2.4 Lincolnshire County Council and West Lindsey District Council (WLDC) for instance still have a large number of office-based staff working remotely or from home.
- 2.5 Despite all the disruption caused by Covid 19 most of the 'normal' functions of the office have continued, albeit some in a reduced or altered form, since late March 2020.
- 2.6 Since late May 2020, the Town Council has held remote formal meetings. On Tuesday 5 January 2021 it was determined that remote meetings should continue until the Annual Meeting in May 2021.
- 2.7 Guidance for employers about how to make your workplace COVID-secure can be found at <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>.

3. Proposal

- 3.1 The Operations Manager has updated the working arrangements and measures set out at Appendix A which were first considered in September 2020.
- 3.2 This review at Appendix A forms the basis of ensuring the office is Covid-secure.
- 3.3 In September 2020, a presumption that office-based staff will continue to work from home for a majority of the time remained in place until mid-April 2021.

- 3.4 The Deputy Clerk, Admin Support Officer and Operations Manager moved to predominantly working from the office, with the ability to still work from home when the need arises.
- 3.5 Staff meetings with councillors or members of the public will continue to be made by appointment. The default option should be to conduct business by email, over the phone or via video conferencing technology.

4. Risk, budget, and policy implications

- 4.1 The recommendations in this report conform to Standing Orders and Financial Regulations.
- 4.2 The proposal would likely have a minimal impact on the budget.
- 4.3 Procedures are set out at appendix A which will be reviewed on an ongoing basis.
- 4.4 It is not anticipated that any new training will be required.
- 4.5 There appear to be few risks arising from the home working arrangements that have not already been dealt with. Although the situation should be monitored and reviewed as set out in the report.
- 4.6 The risks associated with a return to purely office-based working are obvious, but the chief concerns are:
 - i. The potential for the spread of infection;
 - ii. Managing interactions with members of the public in a satisfactory way;
 - iii. a further wave of infections could cause further disruption;
 - iv. changes to government guidance and local lockdown measures, and;
 - v. possible issues with childcare arrangements.
- 4.7 Following Government guidance and that set out at appendix A should allow for adequate mitigation of the risks associated with infection when 'normal' office-based working resumes. However, it should be noted that the risks cannot be entirely eliminated.

5. Recommendation

- 5.1 The Committee is recommended to agree to:
 - i. Note what is set out at appendix A;
 - ii. approve the proposal set out in section 3 of the report.

Appendix A – Summary of Office Working Arrangements and measures

The following is an overview of the possibility of a return to Richmond House for Gainsborough Town Council Officers and highlights control measures that must be in place to ensure that the Council offices and attached working processes are Covid secure.

The objective is to reduce risk to the lowest reasonably practicable level by taking preventative measures.

Gainsborough Town Council as employers have a duty to reduce workplace risk to the lowest reasonably practicable level by taking preventative measures.

Gainsborough Town Council must work with Lincolnshire County Council and the Registrar to ensure that everybody's health and safety is protected, in the context of COVID-19 this means protecting the health and safety of our employees and visitors by working through the following steps:

Ensuring both workers and visitors who feel unwell stay at home and do not attend the premises

Richmond House is an old residential building that has been converted for office use. As such it has poor ventilation and issues with damp, particularly in the winter when the heating is on regularly.

- It is recommended that the Town Council **does not** operate an “open door” approach as was previously the case, for issues that cannot be resolved over the telephone or remotely it is advised that a short appointment is arranged but only if absolutely necessary, the appointment will ideally be carried out in a well-ventilated area or outdoors if possible. Adequate ventilation is a concern in Richmond House however, to alleviate these concerns it is advised that internal doors and windows that can be opened should be to allow an intake of fresh air (the fire risk assessment will be updated to identify the changes). All windows and doors **must** be closed once prior to members of staff leaving for the day.
- It is recommended that if physical appointments do take place that both parties must wear face coverings, it is also suggested that any persons meeting with Officers provides details to be used for track and trace purposes.
- It is recommended that Officers ensure that Calendar entries are correct regarding their in-office working hours so that other members of staff are aware who will be in the office and when.

Increasing the frequency of handwashing/sanitising and surface cleaning

Hand sanitisers and handwashing/drying facilities are in place in key areas within Richmond House and the Council offices. Signage is in place to encourage people to wash hands regularly and for the recommended duration. Once decided upon the cleaners will be made aware of the intended frequency of use of the Town Council offices and will clean as required.

When in the workplace, everyone should make every reasonable effort to comply with the social distancing guidelines set out by the government (2m, or 1m with risk mitigation where 2m is not viable is acceptable)

Richmond House has four offices that are available, and it is recommended that each officer is allocated a separate office to reduce the risk of transmission and cross contamination.

- It is recommended that face to face interaction between Officers is kept to a minimum and communication is by telephone, Email or Teams.
- It is recommended that once Officers return to full office working conditions that considerations for home working are in place should the control measures previously mentioned be unable to be put into place.

➤ **Welfare Facilities/Toilets**

The kitchen within Richmond House has previously been shared by the four Officers however it is recommended that should Officers return to “normal” working that lunch breaks are staggered and that cleaning of all surfaces and contact points be carried out by the Officer following use.

- It is recommended that cleaners carry out sanitising and general cleaning outside of office working hours to reduce the risk of transmission. Gainsborough Town Council Officers will share the use of three toilets and as such it would be recommended that each officer use the same toilet on all visits if possible, to reduce the risk of cross infection, sanitising consumables are available to clean the toilet and contact points following use.

Cleaning

The cleaning frequency of the Town Council offices will be determined by the use, cleaning resource is limited, and cleaners are currently committed to the Marshalls site on a daily basis to ensure that the facilities are cleaned between use.

- It is recommended that when in use workstations will be required to be cleaned regularly by Officers and removal of all waste should be done so at the end of each day if possible. Clearance of desks should be ensured at the end of the day so as to allow access for cleaners to carry out routine sanitising.

PAPER E



Town Clerk Vacancy

Gainsborough Town Council is seeking to appoint a forward thinking Town Clerk who can manage the Council's statutory requirements, lead the staff team and promote the interests and development of the town. The ideal candidate will be an excellent communicator, with a 'can do' attitude, who can demonstrate strong governance and financial management skills alongside good business acumen. The successful candidate will be expected to work in close partnership with a range of local bodies and organisations.

If you feel you meet these requirements, we would like to hear from you. You will need to hold the Certificate in Local Council Administration (or obtain it within 24 months of employment) or have current local government experience at management level.

The post of Town Clerk is challenging and duties will require regular evening and occasional weekend working which is reflected in the salary being offered.

Full Job Descriptions and Person Specifications can be found on our website.

Salary: NJC Level 3 – SCP 33-45 (£36,922 - £49,213) dependent upon experience & qualifications

Job Type: Full Time, 37 hours per week

Holiday Entitlement: 21 days per annum rising to 25 after 5 years of service.

Based at: Richmond House, Richmond Park, Morton Terrace, Gainsborough

Opportunity to join Local Government Pension Scheme

How to apply:

To apply for this position please submit the following documents:

1. Completed Application Form (**available to download from our website**)
2. Covering letter stating why you believe you are suitable for the role.
3. Curriculum Vitae
4. Equal Opportunity in Employment (**available to download from our website**)
5. Rehabilitation of Offenders Act 1974 – Criminal Offences (**available to download from our website**)

Preferably documents should be sent by e-mail to: townclerk@gainsborough-tc.gov.uk

Alternatively, you may hand deliver or post the documents to:

Gainsborough Town Council, Richmond House, Richmond Park, Morton Terrace, Gainsborough, Lincolnshire, DN21 2RJ.

Closing date: Tuesday 1st June 2021 at 2:00pm

Interview date: Thursday 10th June 2021 (provisional)



GAINSBOROUGH TOWN COUNCIL

TOWN CLERK

JOB DESCRIPTION



Overall Responsibilities

The Clerk to the Town Council/Town Clerk will be the Proper Officer of the Council and as such is under a statutory duty to carry out all the functions, and in particular to serve or issue all the notifications required by law.

The Clerk will be totally responsible for ensuring that the instructions of the Council in connection with its function as a Local Authority are carried out.

The Clerk is expected to advise the Council on, and assist in the formation of, overall policies to be followed in respect of the Authority's activities and in particular to produce all the information required to aid the Council in making effective decisions and to implement constructively all decisions.

The person appointed will be accountable to the Council for the effective management of all its resources and will report to them as and when required.

Specific Responsibilities

1. To ensure that statutory and other provisions governing or affecting the running of the Council are observed.
2. To monitor the work of a designated other officer designated the Responsible Finance Officer role, in the balancing of the Council's accounts and preparation of records for audit purposes and VAT, in the receiving and reporting on invoices for goods and services to be paid for by the Council and ensuring such accounts are met, issuing invoices on behalf of the Council for goods and services to ensure payment is received.
3. To work in close partnership with West Lindsey District Council and a range of local bodies and organisations.
4. To ensure that the Council's obligations for Risk Assessment are properly met.
5. To prepare, in consultation with appropriate members, agendas for meetings of the Council and Committees. To attend such meetings and prepare minutes for approval, other than where such duties have been delegated to another Officer.
6. To attend all meetings of the Council and all meetings of committees and sub-committees. Other than where such duties have been delegated to another Officer.
7. To receive correspondence and documents on behalf of the Council and to deal with the correspondence or documents or bring such items to the attention of the Council. To issue correspondence as a result of the instructions of, or the known policy of, the Council.
8. To study reports and other data on activities of the Council and on matters bearing on those activities. Where appropriate, to discuss such matters with administrators and specialists in particular fields and to produce reports for circulation and discussion by the Council.

9. To draw up both on his/her own initiative and as a result of suggestion by Councillors proposals for consideration by the Council and to advise on practicability and the likely effects of specific courses of action.
10. To supervise any other members of staff as their line manager in keeping with the policies of the Council and to undertake all necessary activities in connection with the management of the salaries, conditions of employment and work of other staff.
11. To monitor the implemented policies of the Council to ensure they are achieving the desired result and where appropriate suggest modifications.
12. To act as a representative of the Council as required.
13. To issue notices and prepare agendas and minutes for the town meeting: to attend the assemblies of the town meeting and to implement the decisions made at the assemblies that are agreed by the Council.
14. To prepare, in consultation with the Mayor, press releases about the activities of, or decisions of, the Council.
15. To attend training courses or seminars on the work and role of the Clerk as required by the Council.
16. To work towards the achievement of the status of Qualified Clerk as a minimum requirement for effectiveness in the position of Clerk to the Council.
17. To continue to acquire the necessary professional knowledge required for the efficient management of the affairs of the Council: Suggested is membership of your professional body The Society of Local Council Clerks.
18. Any other duties that may be assigned to you in your role as Town Clerk.
19. To maintain political neutrality in conducting the role of the Clerk.



GAINSBOROUGH TOWN COUNCIL

TOWN CLERK

PERSON SPECIFICATION



COMPETENCY	ESSENTIAL	DESIRABLE
<p>Education, Professional qualifications and training</p>	<p>High level of numeracy and literacy Minimum GCSE English & Maths A-C (or equivalent)</p> <p>Completion or willing to work towards completion of the Certificate of Local Council Administration (CiLCA) or Local Government experience at a senior level.</p>	<p>Achievement of the Certificate of Higher Education in Local Policy</p>
<p>Abilities: Practical and Intellectual skills</p>	<p>Ability to work effectively on your own or in a team</p> <p>A good working knowledge of Local Government structures and practices</p> <p>Experience of advising and servicing committees (including minute taking) and working with members</p> <p>Competent in all areas of administration, including financial administration and IT skills, including Microsoft Word and Excel</p> <p>Experience of working in an office and dealing with the public, especially in confrontational circumstances</p> <p>Ability to recognise political / legal consequences of action being recommended by Members</p> <p>Ability to communicate at all levels in the community both orally and in writing, with good presentation skills</p> <p>Excellent organisational skills</p> <p>Experience of staff management including delegation and ability to motivate and develop staff</p> <p>Ability to produce reports on financial and other subjects</p> <p>Ability to problem solve</p> <p>Understanding of Planning Legislation</p>	<p>Experience as a Clerk or Deputy Clerk</p> <p>Experience of risk management and insurance</p> <p>Experience of project management</p> <p>Knowledge of website management and social media</p> <p>Experience of bidding for external funds and grants</p>

Circumstances	Willingness to work evenings when Council or committees meet and occasional weekend work Flexible and committed to the Council Current driving licence and ability to travel	
---------------	--	--