GAINSBOROUGH TOWN COUNCIL

Staff Handbook

Contents

1 Handbook Introduction 4
2 Equal Opportunities Statement 4
3 Probation Period of Employment 4
4 Declaration of other Employment 5
5 Remuneration 5
Introduction 5
Wages/Salary Payments 5
Acting Up / Additional Duties 5
NJC Pay Rates 5
National Agreement on Pay and Conditions of Service 5
Overtime and Time Off in Lieu 6
Flexitime 6
Flexible Working 7
Time off 7
Reimbursable Expenses 7
Insurance Premiums 7
Training 7
Disclosure and Barring Service Checks (DBS) 7
6 Holiday Rules, Policy and Procedures 8
Introduction 8
6.2 **Rules and procedures** 8
7 Additional Statutory Employee Rights 9
Introduction 9
Examples of additional statutory leave/time off: 9
8 Health and Safety 9
Introduction 9
Duty of employees 10
Lone Workers 10
Wellbeing 10
9 Alcohol and Drugs Policy 10
Advice and counselling 11
Prohibition on alcohol and drug consumption in the workplace 11
Alcohol and drug related misconduct 11
Alcohol and drug testing 12
10 Emergency First Aid at work 12
11 Smoking Policy 12
12 Council Policies and Procedures 12

Introduction 12
Continuous Service 13
Absence Rules, Policies and Procedures 13
Important 13
Illness & Statutory Sick Pay 14
Medical Appointments 15
Maternity Leave 15
Paternity Leave 15
Shared Parental Leave 15
Adoption Leave 15
Parental Bereavement Leave 15
Bereavement Leave 15
Redundancy 15
Employee Checks 16
Council Electronic Information and Communication Systems 16
Social Networking 16
Employee Code of Conduct 17
Appearance and Housekeeping 17
Anti-Fraud, Corruption and Bribery Policy 17
Whistle Blowing and Confidential Reporting Policy 17
Data Protection Act and General Data Protection Regulations 17
Insurance - Personal Accident and Assault 18
Fidelity Guarantee 18
Death in Service 18
Annual Performance Review (Appraisal) 18
Changes in Personal Details 19
Mobile Phones 19
Use and Maintenance Rules of Council Vehicles 19
Vehicle Tracking 20
Satellite Navigation 20
Parking of Council Vehicles 21
Fines 21
Council Documentation 21
Social Events 21
13 Dignity at Work Policy 21
14 Sexual Harassment Policy 22
15 Disciplinary Policy 22
General Principles 22
Rules of Conduct 22
Misconduct 22
15.7 This list is intended as a guide and is not exhaustive. 23
Gross Misconduct 23
General Principles 25
Confidentiality 25

Investigations 26
Suspension 26
16 Formal Disciplinary Procedure 26
Written information 26
Disciplinary hearing 26
Appeals 27
Right to be accompanied 27
17 Dismissals and Disciplinary Action 28
Disciplinary sanctions 28
Stage 1: Verbal warning 28
Stage 2: First written warning 28
Stage 3: Final written warning 28
Stage 4: Dismissal 29
Alternative sanctions short of dismissal 29
18 Capability Policy 29
Policy and Principles 29
Disabilities 30
Informal discussions 30
Capability hearings 30
Right to be accompanied at hearings 31
Stage 1: First Capability hearing 31
Stage 2: Second Capability hearing 32
Stage 3: Dismissal or Redeployment 32
Appeals 33
19 Grievance Policy 33
General principles 33
Raising grievances informally 34
Written grievances 34
Meetings and investigations 34
Appeals 35
Right to be accompanied 35

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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 All policies mentioned within this handbook can be found on the Staff Zone Section of our website.

1.7 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 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk.

3 Probation Period of Employment

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

3.2 The employee's performance will be reviewed by their Line Manager and the Chair of the Personnel Committee at the end of this Probationary Period and their contract of employment will either be confirmed as permanent, or the probationary period extended for a period of time that is at the discretion of the Line Manager and the Chair of the Personnel Committee.

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

3.4 All new employees will be given regular feedback regarding their performance during their initial 3 months. This means that any decisions taken about their employment at the end of the first 3 months will not be unexpected by the Employee.

4 Declaration of other Employment

4.1 It is a condition of their Contract of Employment that employees inform the Council of any alternative employment you undertake, in order to ensure that no Tax, National Insurance or Working Time liabilities will accrue to the Council. The Council also reserves the right to require that any other employment that you undertake does not conflict with the role or standards required to be undertaken or met in public office whilst employed by the Council.

5 Remuneration

Introduction

5.1 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.

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

Wages/Salary Payments

5.3 All employees will be paid on the 25th of each month direct to your designated Bank Account but can vary slightly in the event of that day falling on a Bank Holiday or weekend.

5.4 Employees will receive a wage slip explaining how their pay is calculated and any deductions will be shown.

Acting Up / Additional Duties

5.5 Members of the Grounds Maintenance Team are given the opportunity to 'act up' and undertake the basic functions of supervision and allocating pre-determined tasks when the Team Leader is absent from work under the instructions of the Operations Manager.

5.6 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

NJC Pay Rates

5.7 All employees 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.

National Agreement on Pay and Conditions of Service

5.8 The Council accepts the provisions of the National Agreement on Pay and Conditions of Service 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 National Joint Council ("the NJC") for Local Government Services agreement ("the Green Book"). This may be more commonly known as the NJC Conditions.

5.9 In some cases, the Council may adopt its own policies and procedures to complement the Green Book and Council service provision.

Overtime and Time Off in Lieu

5.10 Employees who are on flexitime arrangements are expected to manage overtime worked.

5.11 Employees who are on fixed hours are 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.

5.12 On occasions employees may be required and work outside of normal hours and overtime may be paid. Examples of such cases are: attending evening and weekend meetings, caretaking work after midnight and cemetery work outside of normal working hours.

5.13 For routine work the overtime arrangements should be specified in the contract. Where overtime is required in an extraordinary situation authorisation should be sought from the appropriate Committee Chair.

5.14 The overtime rate will be 1.5 times the employees normal rate of hourly pay for authorised hours worked greater than 37 or such hours as are specified as the basic weekly working hour requirement under a contract.

5.15 For cemetery weekend working overtime rate will be 1.5 times the employees normal rate of hourly pay. Staff to be paid minimum of 2 hours of overtime for weekend interments.

5.16 For Remembrance Sunday overtime working lieu time will be awarded at 1.5 times hours worked.

Flexitime

5.17 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.

5.18 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.

5.19 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.

5.20 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.

5.21 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.

5.22 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.

Flexible Working

5.23 Gainsborough Town Council is committed to providing equality of opportunity in employment and to developing working practices and policies that support work-life balance. It gives eligible employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure for such requests.

5.24 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Time off

5.25 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 their Line Manager.

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

Reimbursable Expenses

5.27 Employees can claim for expenses incurred in the performance of their duties for the Council, to ensure that employees are properly reimbursed for legitimate business expenses and to ensure that these expenses are treated appropriately for tax purposes.

5.28 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Insurance Premiums

5.29 If an officer (Town Clerk, Deputy Clerk & Operations Manager) 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.

Training

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

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

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

5.33 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk.

Disclosure and Barring Service Checks (DBS)

5.34 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.

5.35 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.

5.36 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.

5.37 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

6 Holiday Rules, Policy and Procedures

Introduction

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

6.2 **Rules and procedures**

- Due to the nature of our business, you must, using the holiday request form (a holiday card to be presented to their Line Manager) provide at least twice the amount of time beforehand as the amount you wish to take off, unless your employment contract says otherwise.
- 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 the 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 your Line Manager. 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 close down period. Such dates will be communicated to you well in advance.
- Under the NJC Agreement employees shall have an entitlement to two extra statutory days which will be taken every year in the Christmas and New Year period.

6.3 **Compassionate Leave**

- We aim to extend sympathy, compassion and understanding should employees suffer a bereavement. At all times, we will try to assist employees to come to terms with their loss.
- Application for bereavement leave should be made on the Absence Request Form, after discussing this with a manager.

- We will normally grant up to 5 days paid leave in the event of the death of an immediate relative (spouse, parent, step-parent, grandparent, brother, sister, child, mother-in-law and father-in-law). Any time off in addition to this should be discussed with the employee's manager. Reasonable unpaid compassionate leave will be granted taking into account such factors as the relationship with the deceased person and the timing and location of the funeral.
- We accept that sometimes the need to take this leave can arise at very short notice, but request that employees should discuss their requirements with their manager before taking any time off and, in any event, at the earliest opportunity. All requests for compassionate leave will be dealt with on a confidential basis.

7 Additional Statutory Employee Rights

Introduction

7.1 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.

7.2 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.

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, Parental Bereavement leave and Carers 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).

8 Health and Safety

Introduction

8.1 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.

8.2 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.

Duty of employees

8.3 All employees have a duty to take reasonable care of themselves and others, including visitors; this also applies when visiting clients/sites.

8.4 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.

8.5 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.

8.6 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.

8.7 In the event a employee has an accident at work, whether they receive an injury or not, it must be reported it to the Operations Manager and the Town Clerk.

8.8 All accidents and 'near misses' must be entered into the accident book which is situated at Richmond House.

8.9 All employees shall inform the Operations Manager and the Town Clerk of any hazard or danger that may be a risk to the Health and Safety of themselves or others.

8.10 All employees shall inform the Operations Manager and the Town Clerk of any actions displayed or acts or omissions committed by other employees which may cause a risk to Health and Safety.

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

8.12 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk.

Lone Workers

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

8.14 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Wellbeing

8.15 Mental health problems and stress can affect anyone, regardless of their position in the organisation. This policy applies equally to all employees.

8.16 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

9 Alcohol and Drugs Policy

9.1 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.

9.2 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 offer assistance to employees who may need it.

Advice and counselling

9.3 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.

9.4 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.

9.5 If an employee has an alcohol or drug problem, they should seek appropriate help. If an employee has an alcohol or drug problem which affects their conduct or performance at work and they 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, an employee's conduct or work performance reverts to the problem level, the matter may also be dealt with through the disciplinary procedure.

Prohibition on alcohol and drug consumption in the workplace

9.6 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. Employees must never drink alcohol or take drugs if they are required to drive private or Council vehicles on Council business. Employees must also not drink alcohol or take drugs when they are on operational standby or on call.

9.7 Employees representing the Council at business/client 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.

9.8 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.

9.9 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.

Alcohol and drug related misconduct

9.10 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.

9.11 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.

9.12 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.

Alcohol and drug testing

9.13 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.

9.14 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.

10 Emergency First Aid at work

10.1 In order to protect the wellbeing of our employees and to promote a safe working environment, the Council have staff trained in emergency first aid at work to deal with any emergencies.

11 Smoking Policy

11.1 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.

11.2 The policy also includes the use of e-cigarettes and vaping.

11.3 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.

11.4 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

12 Council Policies and Procedures

Introduction

12.1 As with all Councils, 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, members, contractors and members of the public 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.

12.2 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.

Continuous Service

12.3 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.

Absence Rules, Policies and Procedures

12.4 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 Line Manager of the reason for each absence and expected date of return.
- Employees shall inform their Line 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 Council 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 8 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.

Important

12.5 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.

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

12.7 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.

Illness & Statutory Sick Pay

12.8 Employees should report all accidents immediately, or as soon as possible, to their Line Manager who will report it to the Town Clerk; or whoever is deputising in their absence.

12.9 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.

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

12.11 When an employee returns to work after a period of sickness absence, their line manager will conduct a return-to-work interview. This will be done either on the employee's first day of return to work, or as soon as practicable thereafter, if the line manager is absent on that day.

12.12 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

12.13 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	2 months after completing 4 months service
Up to 2 years	2 months	2 months
Up to 3 years	4 months	4 months
Up to 4 years	5 months	5 months
Up to 5 years	5 months	5 months
Over 5 years	6 months	6 months

12.14 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.

12.15 In the event of an employee being absent for six weeks or more through sickness, or alternatively if the Council has genuine concerns regarding the health of an employee, the Council may request that they attend a consultation

with a doctor appointed by the Council. The Council will pay for this consultation. The employee concerned does not have to give their consent to this request, however failure to do so may be seen as a deliberate act to prevent a reasonable investigation by the Council's management.

Medical Appointments

12.16 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 Line Manager prior to attending the appointment.

Maternity Leave

12.17 All pregnant employees are entitled to take up to one year's (52 weeks) maternity leave, regardless of length of service. Maternity leave and pay are separate entitlements.

12.18 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk

Paternity Leave

12.19 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk

Shared Parental Leave

12.20 The Council complies with the Shared Parental Leave Regulations 2014, which provides a statutory right for an employee to take shared parental leave (ShPL) in connection with the birth of a child, or placement of an adopted child born on or after 5th April 2015.

12.21 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk.

Adoption Leave

12.22 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk

Parental Bereavement Leave

12.23 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.

12.24 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.

12.25 Further information on the Council's policy can be obtained from the Town Clerk or the Deputy Clerk.

Bereavement Leave

12.26 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.

Redundancy

12.27 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.

Employee Checks

12.28 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. If an employee's 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. Employees may also request a work colleague, who is available at that specific time, to be present.

12.29 If a more intensive search is required, it will be referred to the necessary authority.

12.30 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.

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

Council Electronic Information and Communication Systems

12.32 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 employees during their training.

12.33 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk. POLICY NEEDS WRITING

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

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

12.36 In the event an employee leaves 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 the employee.

Social Networking

12.37 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).

12.38 Non-compliance with this could lead to disciplinary action being taken which may amount to Gross Misconduct.

12.39 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Employee Code of Conduct

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

12.41 Further information about the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Appearance and Housekeeping

12.42 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.

Anti-Fraud, Corruption and Bribery Policy

12.43 It is the Council policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to fraud, 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.

12.44 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.

12.45 Further information on the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Whistle Blowing and Confidential Reporting Policy

12.46 The aim of the policy is to ensure that our employees 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.

12.47 Employees are often the first to realise that there may be something seriously wrong within the Town Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

12.48 Council is committed to the highest possible standards of openness, transparency and accountability. In line with that commitment it expects employees and others that we deal with who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

12.49 Further information on the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Data Protection Act and General Data Protection Regulations

12.50 Everyone has rights, with regard to the way in which their personal data is handled. During the course of the Councils activities, the Council 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.

12.51 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.

12.52 Further information about the Council's Data Protection Policy, Privacy Policy, Subject Access Request Policy, Data Breach Policy and Document Retention Policy can be obtained from the Town Clerk or Deputy Clerk.

Insurance - Personal Accident and Assault

12.53 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.

12.54 In the event of death or permanent disablement arising from a violent or criminal assault suffered in the course of employment then all insurance payments will be made in accordance with paragraph 7 of Part 3 of the Green Book.

Fidelity Guarantee

12.55 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.

Death in Service

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

Annual Performance Review (Appraisal)

12.57 A satisfactory performance is a basic contractual requirement. Employees have a duty to monitor their own performance and to take advantage of appropriate training opportunities as they arise. Employees should also seek opportunities to improve the way things are done either on their own initiative, if appropriate or in conjunction with their 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).

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

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

12.60 Further information on the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Changes in Personal Details

12.61 Employees must notify the Council 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 Town Clerk.

Mobile Phones

12.62 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 must be limited during working hours.
- Employees shall not contact the Council concerning any work-related issues by way of mobile phone text messaging.
- 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 whilst carrying out your duties.
- 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.
- Further information on the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

Use and Maintenance Rules of Council Vehicles

12.63 All employees provided with a Council vehicle shall abide by the following:

- 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 the employees 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 an employee leaves 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 the employee.

12.64 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.

Vehicle Tracking

12.65 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.

12.66 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.

12.67 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.

12.68 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.

12.69 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.

Satellite Navigation

- If a Council vehicle is fitted with a detachable, satellite navigation system the employee must ensure it is secure and locked in the glove box or boot compartment of the vehicle when it is unattended. This includes when visiting petrol stations or food outlets.
- In the event an employee leaves 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 the employee.

12.70 Theft which is proved to be due to an employee's negligence will result in the cost of such equipment being recovered from the employee.

Parking of Council Vehicles

12.71 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.

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

12.73 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 the employee.

Fines

12.74 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.

Council Documentation

12.75 All Council documentation, paperwork and information which will be at an employee's disposal remain the Council's property. Employees 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, they are also required to return such materials to the Council in the event your employment is terminated.

Social Events

12.76 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.

13 Dignity at Work Policy

13.1 The purpose of this policy is to ensure that all Council workers are treated with dignity and respect and are free from harassment or other forms of bullying at work.

13.2 This policy is for guidance only and does not form part of your contract of employment.

13.3 Breach of this policy will be dealt with under the Councils disciplinary procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

13.4 Further information on the Council's policy can be obtained from the Town Clerk or Deputy Clerk.

14 Sexual Harassment Policy

14.1 The purpose of this policy is to ensure that all our workers are treated with dignity and are free from sexual harassment in the course of employment.

14.2 This policy is for guidance only and does not form part of your contract of employment.

14.3 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.

14.4 Further information on the Council's policy can be obtained from the Town Clerk.

15 Disciplinary Policy

General Principles

15.1 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.

15.2 The disciplinary rules should be read in conjunction with our disciplinary procedure. Disciplinary action should only be taken in accordance with that procedure.

15.3 If employees are in any doubt as to their responsibilities, or the standards of conduct expected, they should speak to their Line Manager.

Rules of Conduct

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

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

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

Misconduct

15.6 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 their 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

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

Gross Misconduct

15.8 Gross misconduct is misconduct which, in the Council's opinion, is serious enough to prejudice the 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.

15.9 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 Council 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 their employment;

- accepting a gift from a customer, supplier, contractor or other third party in connection with Council employment without prior consent from your Line 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 the Council's opinion may affect the reputation or the relationships with the Council's 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 their 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 their 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 the Council's 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 their employment or any other information that may have a bearing on the performance of their 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 Whistleblowing 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 Policy, 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.

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

General Principles

15.11 This procedure is for guidance only and does not form part of employees contract of employment.

15.12 This procedure does not apply to cases involving:

- genuine sickness absence;
- proposed redundancies; or
- poor performance or capability.

15.13 Minor conduct issues can normally be resolved informally between the employee and their Line 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 the employees 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).

15.14 Except in cases of gross misconduct or for short term service employees, they will not normally be dismissed for a first act of misconduct. Instead, the Council will normally give you a warning and a chance to improve.

15.15 Where disciplinary allegations are made against a short-term service employee, the Council may omit some of the steps set down in this procedure and/or vary some or all of the time limits.

15.16 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.

Confidentiality

15.17 The Council's aim, during an investigation or disciplinary procedure, is to deal with matters sensitively and with due respect for the privacy of any individuals involved.

15.18 All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.

15.19 Employees are not permitted to make any electronic recordings of any investigative meetings, disciplinary or appeal hearings. The employees representative, or any companions or witnesses who accompany them to any meetings or hearings are also forbidden from making electronic recordings.

15.20 Employees will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against them, unless, using discretion, the Council believe that a witness' identity should remain confidential.

15.21 Witnesses must treat as confidential any information given to them in the course of an investigation, including the identity of any employees under investigation.

Investigations

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

15.23 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.

15.24 Employees do not normally have the right to bring a companion to an investigative interview. However, the Council 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.

15.25 Employees 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.

15.26 The amount of investigation required will depend on the nature of the allegations and will vary from case to case.

Suspension

15.27 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 an employee should not visit Council premises or contact any of the Council customers, suppliers, contractors, or employees, unless you have been authorised to do so.

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

16 Formal Disciplinary Procedure

Written information

16.1 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.

16.2 Following any investigation, if the Council consider there are grounds for disciplinary action, the Council will inform the employee in writing of the allegations against them 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

16.3 You will have a reasonable opportunity to consider this information before the hearing.

Disciplinary hearing

16.4 The Council will give the employee 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.

16.5 Employees may bring a companion with you to the disciplinary hearing.

16.6 Will be conducted by Town Clerk or Chair of the Personnel Committee. For more severe cases the HR Advisor will be consulted.

16.7 Employees 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 the employee or their companion cannot attend at the time specified, they should inform the Town Clerk immediately and we will seek to agree an alternative time.

16.8 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 an employee. If an employee has a companion, he or she may make representations to the hearing and ask questions but should not answer questions on the employees behalf. The employee may confer privately with their companion at any time during the hearing.

16.9 The disciplinary hearing may be adjourned if the Council need to carry out any further investigations. For example, Council may decide to re-interview witnesses in the light of any new points that have been raised at the hearing. The employee will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

16.10 Within one week of the disciplinary hearing, the Council will inform the employee in writing of their 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. The Council will also inform the employee of their right to appeal.

Appeals

16.11 Should the employee wish to appeal they should do so in writing, stating their full grounds of appeal, within one week of the date on which they were informed of the decision.

16.12 The Council will give the employee 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, but not within two weeks of notice of dismissal.

16.13 Where practicable, the appeal hearing will be conducted by a Manager who is no less senior to the person who conducted the disciplinary hearing and a member of the Personnel Committee. Employees may bring a companion with them to the appeal meeting.

16.14 The Council will inform the employee in writing of our final decision within one week of the appeal hearing. There will be no further right of appeal.

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

Right to be accompanied

16.16 An employee 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.

16.17 If the employees choice of companion is unreasonable, the Council may ask them to choose someone else. For example:

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

17 Dismissals and Disciplinary Action

Disciplinary sanctions

17.1 The Council 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.

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

Stage 1: Verbal warning

17.3 Employees may be given a verbal warning for a minor act of misconduct where they have no other active warnings on their disciplinary record.

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

17.5 A record of the warning will be placed permanently on their 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.

17.6 The Town Clerk is Responsible for issuing.

Stage 2: First written warning

17.7 A first written warning will usually be given for:

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

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

17.9 The warning will be placed permanently on the employees 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.

17.10 The Town Clerk is Responsible for issuing.

Stage 3: Final written warning

17.11 A final written warning will usually be given for:

- misconduct where there is already an active written warning on their 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.

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

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

17.14 The Town Clerk and Chair of Personnel are Responsible for issuing.

Stage 4: Dismissal

17.15 The Council 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 their record; or
- gross misconduct regardless of whether they have received any previous warnings.

17.16 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, employees will be given their full contractual notice period, or payment in lieu of notice.

17.17 Termination of a contract of employment will be from a formal disciplinary panel.

Alternative sanctions short of dismissal

17.18 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.

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

18 Capability Policy

Policy and Principles

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

18.2 It is the Councils 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

18.3 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.

Disabilities

18.4 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.

18.5 If an employee has difficulty at any stage of the procedure because of a disability or wish to inform the Council of a medical condition they consider relevant, they should tell us.

Informal discussions

18.6 In the first instance, performance issues may be dealt with informally between an employee and their Line 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.

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

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

Capability hearings

18.9 A capability hearing will be held at each stage of the procedure.

18.10 Unless it is impractical to do so, the Council will give an employee at least 48 hours written notice of the date, time, and place of the capability hearing.

18.11 The Council will inform an employee in writing of their concerns over their performance and the basis for those concerns. The employee will have a reasonable opportunity to consider this information before the hearing.

18.12 The Council reserve the right to depart from any stage of the process where the circumstances warrant it.

18.13 The employee must take all reasonable steps to attend the hearing. Failure to attend a hearing without good reason may be treated as misconduct. If the employee or their companion cannot attend at the time specified, they should inform the Council immediately and the Council will seek to agree an alternative time.

18.14 A hearing may be adjourned if the Council need to gather any further information or give consideration to matters discussed at the hearing. The employee will be

given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

18.15 The Council will give the employee written confirmation of their decision, the reasons for it, and their 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.

Right to be accompanied at hearings

18.16 The employee 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. The employee must tell the Manager conducting the hearing, in good time before the hearing, who your chosen companion is.

18.17 In some circumstances the choice of companion may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice the hearing.

18.18 The employees companion may make representations, ask questions, and sum up their case, but will not be allowed to answer questions on the employees behalf. The employee may confer privately with their companion at any time during the hearing.

Stage 1: First Capability hearing

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

18.20 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 the employee 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

18.21 Following the hearing, if the Council decide that it is appropriate to do so, they will give the employee a first written warning setting out:

- the areas in which the employee 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.

18.22 The employee’s performance will be monitored and is likely to include a review period.

Stage 2: Second Capability hearing

18.23 If the employee's performance does not improve within the first written warning period, or if there are further instances of poor performance while their first written warning is still active, the Council will hold a second capability hearing.

18.24 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 the employee 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.

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

- the areas in which the employee 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.

18.26 The employee's performance will be monitored and may include a review period.

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

Stage 3: Dismissal or Redeployment

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

18.28 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.

18.29 In exceptional cases where the Council 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.

18.30 If performance remains unsatisfactory and there is to be no further review period, the Council may:

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

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

Appeals

18.32 Employee's may appeal against the outcome of any stage of the formal capability procedure. If they wish to appeal, they should do so in writing, stating their full grounds of appeal within one week of the date on which they were informed of the decision.

18.33 Unless it is not practicable, the Council will give the employee 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, but not within two weeks of notice of dismissal.

18.34 Where practicable, the appeal hearing will be held by a Manager who is senior to the person who conducted the capability hearing. The employee may bring a companion with them to the appeal meeting.

18.35 The Councils final decision will be confirmed to the employee in writing, if possible, within one week of the appeal hearing. There will be no further right of appeal.

18.36 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 the employee will be revoked with no loss of continuity or pay.

19 Grievance Policy

General principles

19.1 It is the Councils policy to ensure that all employees have access to a procedure to help resolve any grievances relating to their employment, quickly and fairly.

19.2 This grievance procedure is for guidance only and does not form part of employee's contract of employment.

19.3 This procedure applies to all employees, regardless of length of service.

19.4 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.

19.5 The Council 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 the Council will inform the employee in writing of the final outcome of their grievance.

19.6 Written grievances will be placed on the employees 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.

Raising grievances informally

19.7 Most grievances can be resolved quickly and informally through discussion with the employees Line Manager. If this does not resolve the problem, the employee should follow the standard procedure below.

Written grievances

19.8 Employees should put their grievance in writing and submit it to your Line Manager unless the grievance is about your manager, in which case your grievance should be submitted to his/her Line Manager or Chair of Personnel Committee.

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

Meetings and investigations

19.10 Employees will be invited to a grievance meeting, which will normally take place no more than two weeks after the Council have received their written grievance.

19.11 The Council may carry out such investigations as they consider appropriate prior to the meeting. This may involve interviewing the employee and any witnesses.

19.12 Employees may bring a companion to any of the meetings under this procedure.

19.13 Employees must take all reasonable steps to attend any meetings. If the employee or their companion cannot attend at the time specified, they should inform the Council immediately and they will make reasonable efforts to agree an alternative time.

19.14 The purpose of the initial grievance meeting is to enable the employee to explain their grievance and to discuss it with the Council. If the employee has a companion, they may make representations to the Council and ask questions but should not answer questions on the employee's behalf. The employee may confer privately with their companion at any time during the meeting.

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

19.16 We will inform the employee of the decision and of their right of appeal, within two weeks of the final grievance meeting. This will be confirmed in writing.

Appeals

19.17 Should the employee wish to appeal they should do so in writing, stating their full grounds of appeal, within two weeks of the date on which the decision was sent or given to them.

19.18 The Council will hold an appeal meeting, normally no more than two weeks after they receive the appeal. Where practicable, this will be held by someone senior to the person who conducted the grievance meeting(s). The employee may bring a companion to the appeal hearing.

19.19 The Councils final decision will be notified to the employee within one week of the appeal hearing. This will be confirmed in writing.

Right to be accompanied

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

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