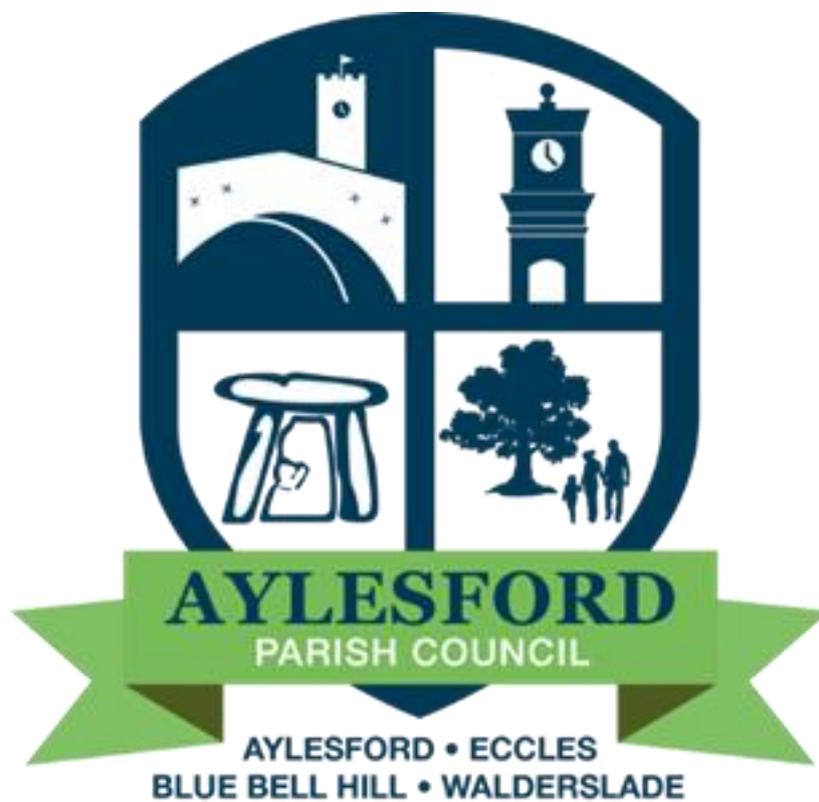


Employee Handbook

March 2026



WELCOME AND INTRODUCTION

Welcome to Aylesford Parish Council (referred to throughout this handbook as “We” or “the Council”). Our strength as a Council is due to the skills and abilities of colleagues like you. We look forward to a long and successful working relationship with you and sincerely hope that your time with us is enjoyable and rewarding.

This handbook

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

The Council recognises the ‘Green Book’ which may include enhancements above the statutory minimum to certain employee benefits.

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

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1

KEY PRINCIPLES

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

1.1 Council Code of Conduct

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

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

Dishonesty

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

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

Refusal to carry out instructions

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

If you believe that you have been instructed to do something that does not fall within your duties or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see Section 5). However, doing so will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

1.2 Health and Safety

The primary duty owed to you by the Council is to ensure that you are safe while you are at work. Similarly all employees are obliged to carry out their duties in a safe and

responsible manner that does not risk harm to either themselves, their colleagues or any other person.

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

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

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

1.3 Equality

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

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

1.4 Dignity at Work

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

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

1.5 Ethical Conduct

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

Gifts and Hospitality

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

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

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

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

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

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

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

1.6 Whistleblowing

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that:

- A criminal offence;
- A miscarriage of justice;
- An act creating risk to health and safety;
- An act causing damage to the environment;

- A breach of any other legal obligation; or
- Concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is the council's responsibility to ensure that an investigation takes place.

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the council should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.

No employee or other person working on behalf of the council will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.

Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence. If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures. Maliciously making a false allegation is a disciplinary offence.

Any instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Clerk or the Chair of the Council.

Procedure

If you believe a Councillor has breached the councillor Code of Conduct, then raise it with the Chair of the Council. Concerns relating to an alleged breach of the councillor Code of Conduct will be referred to the Monitoring Officer for investigation.

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.

Stage 1

In the first instance, any concerns should be raised with the Clerk, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

The Clerk (or delegated officer) will take any necessary action, including reporting the matter to the Council, or any appropriate government department or regulatory agency. The Clerk (or delegated officer) will also invoke any disciplinary action if required. On conclusion of any investigation, insofar as confidentiality allows, you will be told the outcome and what the council has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 2

If you are concerned that the Clerk is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of the Council. The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries.

Stage 3

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

1.7 Good Faith and Loyalty

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

In practice this means not doing anything that undermines the Council's standing with members of the public, customers, clients, and fellow employees.

1.8 Data Protection

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

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

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

1.9 Environmental Statement

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

The Council therefore maintains a policy of 'minimum waste' which is essential to the cost effective and efficient running of all our operations.

Every employee has a responsibility to promote this policy by taking extra care when carrying out normal duties to avoid unnecessary or extravagant use of services, materials, lights, heating, water etc.

2

HOW WE DO THINGS

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

2.1 Proof of Identity

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

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

2.2 Dress Code

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

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

Employees required to wear Uniform

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

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

Personal Protective Equipment

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

2.3 Timekeeping

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

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

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

2.4 Adverse Weather and Traffic Disruption

Adverse Weather

Adverse weather conditions can cause road closures and public transport disruption.

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

If the need to close the workplace persists, the Council may invoke any lay-off clause in employees' contracts.

Traffic Disruption

We understand that events such as industrial action, road traffic accidents and road works can cause difficulties for employees attempting to travel into the workplace. In these circumstances we are prepared to take a flexible approach to working arrangements while still keeping the Council running as effectively as possible.

You must make a genuine effort to report for work at your normal start time. You may need to leave home earlier to give yourself extra time for the journey or taking an alternative route. Travel on foot or by bicycle should be considered where appropriate and safe.

If you are unable to get into work, you should check the situation throughout the day in case it improves. Information may be available from local radio stations, the police, transport providers or the internet. If conditions improve sufficiently to allow you to travel in to work, you should report this to your manager and attend work unless told otherwise.

Delayed Return from holidays

You should make every effort to return to work as planned at the end of any period of authorised annual leave and should ensure that travel arrangements are made that would best ensure this is possible. However, we recognise that employees may be delayed when returning from holidays due to flight cancellations/ delays.

If you are unable to travel into work

If the workplace is open, it is the responsibility of employees to attend work if they possibly can.

Employees who are absent from work due to adverse weather or other travel disruptions are not entitled to be paid for the time lost.

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

If you are unable to attend work due to severe weather or other travel difficulties, then you will be required to take time from your annual leave allowance to cover any absence or to take unpaid time off by agreement with your manager.

There may be circumstances in which employees are able to work at home or from an alternative place of work, if available, but this will be entirely at the discretion of the Council. If you do this, you will receive your normal pay.

If travel disruption or adverse weather causes you to arrive at work late or requires you to leave work early you will usually be expected to make up any lost time.

2.5 Rest Breaks

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

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

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

2.6 Smoking

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

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

2.7 Computer Use - Including the use of email/Internet

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

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

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

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

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

Internet Use

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

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

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

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

Email

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

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

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

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

Privacy

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

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

2.8 Information and Communication Technology

Aylesford Parish Council provides information and communication technology systems that enable us to work efficiently. We recognise that email communication plays an essential role in the conduct of the Council and that the way in which we all communicate with people not only reflects on us as individuals but also on us as a Parish Council.

In addition, Aylesford Parish Council provides to some job roles, access to the vast information resources of the internet to help us do our job and be well informed. The facilities that we provide represent a considerable commitment of resources.

This policy is designed to set clear standards of behaviour and conduct in the use of IT and to help you understand our expectations for the use of resources and to ensure that you use them wisely.

The communications and IT equipment refers to, but is not limited to, computers, internet access, remote access connections, email servers, file storage, webmail, personal digital assistants (Blackberry's, iPhones, iPads, Smart-Phones etc), telephones, mobile phones and computing and networking facilities owned and operated by Aylesford Parish Council.

This policy applies to all employees (whether full time, part time, casually employed or temporary workers), agency workers, and contractors working for or on behalf of Aylesford Parish Council and anyone using Aylesford Parish Council's information and communication technology equipment.

Information and communication technology systems provide a means for communicating both internally and externally and, a means for storing information, including personal or sensitive information. All employee and other users are therefore expected to use the systems provided in ways which:

- Comply with legislative requirements (e.g. data protection, equality legislation, health and safety etc....)
- Enhance efficiency and productivity, and,
- Enhance the reputation of Aylesford Parish Council.

However, your use of IT and communication technology can pose risks to our confidential information, reputation and compliance with legal obligations. To minimise these risks, to avoid loss of productivity and to ensure that our IT resources and communications systems are used only for appropriate business purposes, we expect all employees to adhere to this policy.

Breach of this policy may result in disciplinary action up to and including dismissal. Disciplinary action may be taken regardless of whether the breach is committed during working hours, and regardless of whether our equipment or facilities are used for the purpose of committing the breach. Any employee suspected of committing a breach of this policy will be required to co-operate with our investigation, which may involve handing over relevant passwords and login details.

People responsible for implementing the policy

The Parish Clerk has overall responsibility for the effective operation of this policy. Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the Parish Clerk.

All managers have a specific responsibility for operating within the boundaries of this policy, ensuring that all employees understand the standards of behaviour expected of them and taking action when behaviour falls below its requirements.

All employees are responsible for the success of this policy and should ensure that they take the time to read and understand it. Any misuse of IT resources should be reported to the Parish Clerk

Compliance with related policies and agreements

Our policies and procedures apply equally to behaviour online as offline. The IT resources should never be used in a way that breaches any of our other policies.

It is your responsibility to ensure that information and data that you hold on our computer systems comply fully with the principles of the General Data Protection Regulation (GDPR). In brief, the GDPR requires that anyone who inputs, stores or uses personal information must ensure that the information (e.g. names, addresses, other information kept on individuals) is:

- Processed lawfully, fairly and in a transparent manner in relation to individuals
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- Accurate and, where necessary, kept up to date
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
- Processed in a manner that ensures appropriate security of the personal data.

A good way of understanding these requirements and your responsibilities is to think about how you would wish your bank to store and use, and not use, your own personal details.

Monitoring

The contents of our IT resources and communications systems are our property.

When and how email will be monitored

We will monitor the use of electronic communications in line with the Investigatory Powers (Interception by Businesses etc for Monitoring and Record-keeping Purposes) Regulations 2018. We consider the following to be valid reasons for checking your email:

- If you are absent for any reason and communications must be checked for the smooth running of the Council.

- If we suspect that you have been viewing or sending offensive or illegal material, such as material containing racist terminology or nudity (although the Council understands that it is possible for employees inadvertently to receive such material and you will have the opportunity to explain if this is the case).
- If we suspect that you have been using the email system to send and receive an excessive number of personal communications.
- If we suspect that you are sending or receiving emails that are detrimental to the Council.
- Where possible, the Council will avoid opening emails clearly marked as private or personal.

When and how internet use will be monitored

We reserve the right to monitor employees' internet usage but will endeavour to inform an affected employee when this is to happen and the reasons for it. We consider the following to be valid reasons for checking your internet usage:

- If we suspect that you have been viewing offensive or illegal material, such as material containing racist terminology or nudity (although the Council understands that it is possible for employees inadvertently to view such material and you will have the opportunity to explain if this is the case).
- If we suspect that you have been spending an excessive amount of time viewing websites that are not work related.
- Monitoring will consist of checking the websites that you have visited and the duration of such visits.

You are advised that you should not use our IT resources and communications systems for any matter that you wish to be kept private or confidential from Aylesford Parish Council. While an email that is clearly private does not fall within the definition of a communication that is relevant to the Council, we maintain a right to monitor such a communication where there is a reasonable suspicion that the content breaches Aylesford Parish Council's policy.

Data protection

Monitoring of an employee's email and/or internet use will be conducted in accordance with an impact assessment that the Council has carried out to ensure that monitoring is necessary and proportionate. Monitoring is in Aylesford Parish Council's legitimate interests and is to ensure that this policy on email and internet use is being complied with.

Passwords

- All systems require an authenticated User ID/password combination prior to gaining access.
- You should change your passwords as required by Aylesford Parish Council and if you believe your password has been compromised.
- You must not disclose your login ID (username/password) to another person. If you require access to another employee's computer system, a request must be submitted to the Parish Clerk/Office Manager.
- In order to protect your information, you must set appropriate passwords on sensitive or confidential data and not disclose your password to others.
- Passwords that should not be used include your user name, actual name or Council name, family member or pet's name, birthdays, football team, the word password, numerical sequences.
- You are responsible for the security of your password and should not divulge it to anyone without the Parish Clerk's express permission. Giving another person your username and password is not permitted, as you are held accountable for all actions under your username. Should you believe another person knows your password, change it immediately.
- Any confidential documents should be encrypted prior to sending via e-mail – the password should be notified to the receiver either verbally or by text.

Computer usage

- To prevent unauthorised access to your files, please ensure that you log-out, or otherwise secure your computer if you are away from your desk.
- The computer systems are backed up regularly, however you must ensure your work is adequately saved in a secure location that is accessible for backup.

Use of email

Contents of emails

Emails that you intend to send should be checked carefully. The use of email to send or forward messages that are defamatory, obscene or otherwise inappropriate will be treated as misconduct under the appropriate disciplinary procedure. In serious cases, this could be regarded as gross misconduct and lead to summary dismissal.

Equally, if you receive an obscene or defamatory email, whether unwittingly or otherwise and from whatever source, you should not forward it to any other address.

Statements to avoid in emails include those criticising the Council or its employees, those stating that there are quality problems with goods or services of suppliers or clients, and those stating that anyone is incompetent.

Council information to be included in emails

You should ensure that official Council information is given on any emails that you send as specified below.

John Smith

IT Manager

ABC organisation

Address

Telephone

This message is intended for the use of only the person(s) ("intended recipient") to whom it is addressed. It may contain information that is privileged and confidential. Accordingly, any dissemination, distribution, copying or other use of this message or any of its content by any person other than the intended recipient may constitute a breach of civil or criminal law and is strictly prohibited. If you are not the intended recipient, please contact the sender as soon as possible.]

CC'ing

You must exercise care not to copy emails automatically to all those copied into the original message to which you are replying. Doing so may result in disclosure of confidential information to the wrong person.

Attachments

You must not attach any files that may contain a virus to emails, as we could be liable to the recipient for loss suffered. We have virus-checking in place but, if in doubt, you should check with the Parish Clerk or IT Support.

You should exercise extreme care when receiving emails with attachments from third parties, particularly unidentified third parties, as these may contain viruses.

Mobile phone texting

- Texting funders, suppliers or other external stakeholders should be avoided wherever possible. Texting can often involve an abbreviated use of language which not everyone is familiar with. If you must text another person keep any abbreviated language to a minimum, to ensure a full understanding of the message

- Text messages must be treated in the same way as emails, in the sense that they must not contain illegal, discriminatory, obscene, pornographic or otherwise abusive or threatening messages
- Content of work-related text messages or text messages on company equipment should meet the requirements of our Data Protection policy.

Internet

- You must not use our systems to access pornographic, offensive, illegal or other improper material or make inappropriate use of the Internet
- Producing, downloading or distributing sexually explicit or offensive material in any form, electronic or otherwise (e-mail, blogging, picture, file, printed-output, etc), which may be considered abusive or derogatory to individuals on the basis of race, ethnicity, religion, gender, sexual orientation, gender re-assignment, disability, age etc. is a violation of our Equality & Diversity policy. Any such action will be considered as gross misconduct
- You must not subscribe to chat rooms, dating agencies, messaging services, internet diary (known as blogging) or other on-line subscription internet sites

Misuse

You may be held responsible for damage to equipment, programs or data, and you will be held accountable for any licensing infringements if you do not comply. Misuse of Aylesford Parish Council computing facilities may result in disciplinary or criminal proceedings. Misuse constitutes (but is not limited to) the following points:

- Not adhering to points covered in this policy
- Use that results in a breach of our Data Protection policy
- Attempting to discover another person's username and password, by any means
- Attempting to monitor or tamper with another user's electronic communication or data, or reading, copying, modifying or deleting another user's data without the explicit agreement of that user, or the Parish Clerk. (Except in the case of electronic mail messages where messages sent and received can be copied and/or monitored.)
- Attempting to circumvent by any means the computer or network security
- Using the computer systems (such as electronic mail) to act abusively towards others (including individuals, groups, companies or any other organisation) whether internally or externally
- Knowingly running and installing on any computer or network, or giving to another user, a program or macro intended to disrupt or damage in any way the computer systems and/or network operations, it's files, programs, data, or any related peripheral or device

- Violating terms and conditions of software copyrights and agreements, including making illicit copies of software
- Installing any software by whatever medium (e.g. data sticks, CD-ROM or data transfer) not provided, virus checked and approved by our IT providers
- The transfer of any data files from data sticks, CD-ROM or data transfer to any Aylesford Parish Council computer without being fully virus checked
- Installation of any software not purchased on behalf of Aylesford Parish Council. This includes any software from previous employers or from home computers. Installation of software included with any magazines or where the origin of the software is not known is strictly prohibited
- Performing any act that will interfere with the use of the computer, network or equipment (such as printers) or will affect another user's ability to make use of that equipment, such as downloading unnecessary large documents
- Using the computer systems for any activity not related to your work for Aylesford Parish Council for personal financial gain
- Relocating or re-allocating computer equipment without the permission and guidance our IT providers
- Deliberately wasting computer resources such as game playing or sending "junk" or "chain" mails (either electronic or printed) using our equipment
- If you are allocated a laptop or portable computer, you are responsible for ensuring the safe keeping of this equipment whilst out of the office. Under no circumstances should this be left un-attended in a public place, or in public view. Further you must ensure that all security systems and precautions have been activated to safeguard the portable computer
- Saving confidential data to the hard drive of a portable computer is not permissible unless it is encrypted. Alternatively, each document needs to be encrypted or saved onto an encrypted memory disk
- Saving confidential and/or personal data to an unencrypted data stick is not permitted
- Downloading confidential and/or personal data from our systems to an encrypted data stick without the express authorisation of the Parish Clerk is forbidden. Note that USB ports may be disabled.

2.9 Social Media

Social media is an on-line method to instantly communicate with others or to share data in a public forum. Examples include Twitter, Facebook and LinkedIn. Social media also includes blogs, video and image sharing websites such as You Tube and Flickr. There are many more examples of social media than these and our employees need to be aware that this is a constantly changing area.

The purpose of this policy is to set clear standards of behaviour and conduct in the use of social media and you should follow these guidelines in relation to any social media that you use. This policy also covers the use of social media in your personal life which may have an impact upon the reputation of Aylesford Parish Council.

This policy applies to all employees (whether full time, part time, casually employed or temporary workers), agency workers, volunteers and contractors working for or on behalf of Aylesford Parish Council and anyone using Aylesford Parish Council's information and communication technology equipment.

This policy deals with the use of all forms of social media, including Facebook, MySpace, LinkedIn, Twitter, YouTube, Instagram, Tumblr, Snapchat, Pinterest, Wikipedia, all other social networking sites, and all other internet postings, including blogs.

It applies to the use of social media for both work and personal purposes, whether during office hours or otherwise. The policy applies regardless of whether the social media is accessed using our IT facilities and equipment or equipment belonging to members of employee.

We recognise that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, Twitter, blogs and wikis. However, your use of social media can pose risks to our confidential information, and reputation, and can jeopardise our compliance with legal obligations.

You may be required to remove internet postings which are deemed to constitute a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action. Any misuse of social media should be reported to the Parish Clerk.

You should never provide references for other individuals on social or professional networking sites, as such references, positive and negative, can be attributed to and create legal liability for both the author of the reference and Aylesford Parish Council.

You are not permitted to use social media for personal activities at the office or by means of our computers, networks and other IT resources and communications systems.

You must only use your own personal devices such as mobile phones during official breaks, to access social media at work.

If your duties require you to speak on behalf of Aylesford Parish Council in a social media environment, you must still seek approval for such communication from the Parish Clerk, who may require you to undergo training before you do so and impose certain requirements and restrictions with regard to your activities. Circulating chain letters or other spam is never permitted. Circulating or posting commercial, personal, religious or political solicitations, or promotion of outside organisations unrelated to Aylesford Parish Council is also prohibited.

Likewise, if you are contacted for comments about Aylesford Parish Council for publication anywhere, including in any social media outlet, direct the inquiry to the Parish Clerk. Do not respond without clear approval.

The Dos and Don'ts when using Social Media

The following sections of the policy provide employee with common-sense guidelines and recommendations for using social media responsibly and safely whether inside or outside of work.

Protecting our reputation

- You must not post disparaging or defamatory statements about Aylesford Parish Council or its stakeholders
- You should avoid social media communications that might be misconstrued in a way that could damage our reputation, even indirectly
- Unless you are clearly speaking as part of your role within Aylesford Parish Council you should make it clear in social media postings that you are speaking on your own behalf. Write in the first person and use a personal e-mail address when communicating via social media
- Do not breach copyright for example by using someone else's images or written content without permission or failing to give acknowledgement where permission has been given to reproduce something
- Do not post anything that would result in a breach of our data protection policy
- You are personally responsible for what you communicate in social media. Remember that what you publish might be available to be read by the masses, including Aylesford Parish Council itself, future employers and social acquaintances, for a long time. Keep this in mind before you post content
- You should ensure that your profile and any content you post are consistent with the professional image you present as an employee of Aylesford Parish Council
- Do not post comments about sensitive business-related topics, such as our performance. Even if you make it clear that your views on such topics do not represent those of Aylesford Parish Council, your comments could still damage our reputation
- If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from making the communication until you discuss it with the Parish Clerk.
- If you see content in social media that disparages or reflects poorly on Aylesford Parish Council, you should contact the Parish Clerk. All employees are responsible for protecting our reputation

Respecting colleagues, stakeholders, partners and suppliers:

- Do not post anything that your colleagues or our stakeholders, partners, or suppliers would find offensive, including insults or obscenity
- You must not post anything that could be considered discriminatory against or bullying or harassment of an individual. Examples include making offensive or derogatory

comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion, belief or age; using social media to bully another individual such as an employee; or posting images that are discriminatory or offensive

- Do not post anything related to your colleagues or our stakeholders, business partners, or suppliers, without their written permission

Recruitment

Depending upon the post we may use internet searches to perform due diligence on candidates in the course of recruitment. Where we do this, we will act in accordance with our data protection and equal opportunities obligations. Candidates will be given the opportunity to comment upon any concerns.

Monitoring use of social media during work time

We reserve the right to monitor your use of social media on the Council's equipment. The Council considers that valid reasons for checking your internet usage include suspicions that you have:

- Been using social media when you should be working; or
- Acted in a way that is in breach of the rules set out in this policy.

Monitoring will be conducted in accordance with an impact assessment that the Council has carried out to ensure that monitoring is necessary and proportionate. Monitoring is in the Council's legitimate interests and is to ensure that this policy on use of social media is being complied with.

Monitoring will consist of checking the social media sites that you have visited, the duration of such visits and the content that you have contributed on such sites.

Access to particular social media may be withdrawn in any case of misuse.

Disciplinary action over social media use

Any breach of this policy may lead to disciplinary action. Serious breaches of this policy, for example incidents of bullying of colleagues or social media activity causing serious damage to Aylesford Parish Council, may constitute gross misconduct and lead to summary dismissal.

2.10 Telephones

Council telephones must be used for legitimate business purposes only.

Reasonable personal use of Council telephones is permitted with prior permission from management, however calls should be kept short and no calls should be made to premium rate numbers or abroad.

You may be provided with a mobile telephone in order to assist with the proper performance of your duties. The mobile telephone remains the property of the Council and the Council may withdraw its use and it must be returned to the Council on the termination of your employment. The mobile telephone is your responsibility and if it is lost you will be responsible for the replacement cost.

If you are given a Council mobile phone you are required to have this switched on at all times whilst at work for health and safety and Council efficiency purposes.

Those staff who are on call must ensure that the phone is to hand and turned on at all times whilst on call.

You are permitted to make and receive personal telephone calls on any mobile telephone issued to you but this must be kept to a minimum. If the Council considers that there has been improper use of the mobile telephone, you may be required to meet the cost of any calls that are not business related and such costs may be deducted from your remuneration.

Calls and texts on personal mobile phones should wherever possible be restricted to formal rest breaks.

2.11 Lone Working

The council recognises that some of our staff work alone, and where this is the case, seeks to ensure the health and safety of all lone workers.

It is the Council's duty to assess risks to lone workers and take steps to avoid or control risk where necessary. We will protect staff from the risks of lone working, as far as is reasonably practicable. Working alone is not in itself against the law and it is often safe to do so. However, the council's policy is to consider carefully and deal with any health and safety risks for those who work alone.

Employees also have a responsibility to take reasonable care of themselves and other people affected by their work and to co-operate with the Council in meeting its legal obligations.

Definition

'Lone Worker' refers to people who work by themselves without work colleagues either during or outside normal working hours. Examples include:

- A caretaker who opens and closes a hall either early in the morning or late at night
- A groundsman tending to green space
- Office workers who work alone in the premises, and,

- Homeworkers.

Any worker under the age of 18 years, or anyone working in confined spaces is not permitted to work on their own.

Responsibilities

All staff have a responsibility for the health and safety of work colleagues. The key responsibilities are as follows:

Managers

- Will try to avoid the need for lone working as far as is reasonably practicable;
- Ensure that the worker is competent to work alone;
- Ensure that all lone working activities must be formally risk assessed. This should identify the risk to lone workers; any control measures necessary to minimise those risks; and emergency procedures;
- Arrangements for lone working must be made clear to staff and the details of what can or cannot be done while working alone explained;
- Lone workers must be informed of the hazards and understand the necessary control measures that need to be put in place and have the opportunity to contribute to the risk assessment;
- Must raise the alarm if staff cannot be contacted or do not return as anticipated
- Must ensure that all staff are aware of this lone working policy and procedure and provide appropriate levels of training and guidance on lone working.

Lone workers

- Take reasonable care of themselves and others who may be affected by their work
- To follow any instruction given by management or the council
- Raise with their line manager any concerns they have in relation to lone working
- Not to work alone where there is adequate information to undertake a risk assessment.
- Inform their line manager at the earliest opportunity in the event of an accident, incident of violence or aggression whilst working alone
- To be aware of colleagues working on their own and alert to unexpected changes of routine, unanticipated periods where there is no communication.
- Buddies should ensure they maintain and share up to date contact details

Risk Assessments

Managers must complete (or ensure the completion of) a Lone Working Risk Assessment prior to every lone working activity and updated as appropriate. The risk assessment should be reviewed by the lone worker before undertaking the work and communicated to all relevant staff or councillors.

People who work alone will of course face the same risks in their work as those doing similar roles/tasks. However, they may additionally encounter hazards such as:

- Sudden illness
- Faulty equipment
- Travelling alone
- Remote locations
- Abuse from members of the public
- Animal attacks

Ways in which lone working risks can be reduced

Every lone working environment and situation is different, and therefore it is not possible to implement a 'one size fits all' approach. Where there is regular or anticipated lone working, the council will devise and implement a lone working plan that meets the needs and risks of their particular circumstances. The plan should be proportionate to any risks that are identified from the risk assessment. The plan for a groundsman lone working with machinery will be more detailed than an administrator working late in the office. This should be written down and communicated to all relevant staff and where appropriate, councillors.

Below are some example strategies that could be implemented (on their own or combined):

- Signing-in and Out book
- Electronic (or hard copy) diaries to be kept up to date with meeting/visit/lone working details
- Agreed times and method of contact
If you change your contact details, you must let your manager know.
Your manager must have relevant details about your lone working, that may include;
- Where you are going (address or area if there is no address);
- Details of the purpose (i.e. Preparing the hall, grass cutting, meeting);
- Contact details of anyone you intend to meet (any additional contact details for the location you are visiting);
- Your mode of transport;
- When you are expected to return;

The Clerk/Supervisor must know what to do if you do not return or make contact at the anticipated/agreed time.

Health and wellbeing

In order to ensure your personal safety, it is important that you share any details of any aspects of your health that could lead to increased risk with the Clerk or specific councillors. This includes pregnancy. You can then jointly plan to mitigate any potential risks caused by your circumstances. This information will be treated on a strict 'need to know' basis with your confidentiality of the utmost importance.

Reporting incidents

Any incidents or perceived risks encountered while lone working should be recorded, reviewed and acted upon.

The report should include:

- A brief note of what happened, when, and who was involved,
- For any work-related aggression (verbal or physical) including threatening behaviour, all of the details of the incident and of the perpetrator should be captured, which could then be used if the police take any formal prosecution action. This might be particularly important for more serious incidents of work-related violence, and,

In either instance, this might also include recording details of any circumstances you think might have contributed to the incident, e.g. the context of the interaction, perceptions about the condition of the perpetrator, or any environmental circumstances. This information would then support us to review our risk assessment process and see if any additional measures are needed.

If you feel unsafe, unwell, or become injured call the emergency services if you need immediate assistance. If possible, call your manager, buddy or councillor or colleague to let them know (or ask someone to do so on your behalf).

Call the Clerk/Supervisor if your plans change because you feel unwell or if you have a domestic emergency when working alone.

Control measures

If lone working, consider the following practical guidelines:

1. Lone workers, outside of normal working hours and in isolated buildings, should telephone a designated person to inform them of their expected duration of stay.
2. Ensure a working phone is available.
3. Lone workers should not undertake dangerous work, for example using dangerous chemicals or operating dangerous machinery.
4. When undertaking site visits, the checklist below must be considered prior to the visit.

| Off-site checklist for lone workers | YES | NO |
|---|------------|-----------|
| Is there a risk of violence? | | |
| Is there a safe access and exit for one person? | | |
| Is manual handling undertaken? | | |
| Is the employee medically fit to carry out the lone working tasks? | | |
| Is there first aid provision? | | |
| Can an emergency service approach close enough if necessary? | | |
| Is there a clear understanding on how long the work will take? | | |
| Are transport arrangements to and from the workplace adequate? | | |
| Is there a system for maintaining contact with the lone worker? | | |
| Is there CCTV on the site being visited? | | |
| Is the Clerk trained to deal with violence and aggression? | | |
| Does the Clerk know how to diffuse potentially violent situations? | | |
| Is the Clerk briefed about the areas they visit? | | |
| Does the Clerk have all available information on those being visited? | | |
| Has an itinerary been left? | | |
| Have plans been made to keep in contact with Councillors? | | |
| Has the Clerk the means to contact their Chairman? | | |
| Does the Clerk know how to complete an incident/accident form? | | |

2.12 Alcohol and Drugs

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

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

Dependency

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

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

Drugs

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

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

Medicines and Prescription Drugs

If you are taking prescription drugs or any other medicine that may affect your performance at work or your ability to carry out any of your duties, then you must inform the Town Clerk of this so that steps can be taken to ensure that the work can be done

safely. It is your responsibility, when beginning any course of medication, to check whether it may adversely affect your ability to work.

Alcohol

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

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

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

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

2.13 Driving

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

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

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

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

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

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

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

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

2.14 Van & Vehicle

Council Vehicles

The aim of this procedure is to ensure safe, lawful, and responsible use of council vehicles, and to protect council property, the public, and other road users.

If a Council vehicle is provided to you as part of your contract of employment or you are required to drive a Council vehicle as part of your job, it is your responsibility to take care of the vehicle, keeping it in a clean and roadworthy condition, including checking the oil/water levels are at the required levels. You should report any damage or fault immediately to the Chair.

The Council (generally the clerk) will arrange for appropriate maintenance or servicing to be carried out.

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

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

Authorised Use Only

Council vehicles must only be used by employees who have been authorised and hold a valid driving licence suitable for the class of vehicle. A photocopy of your licence (both sides) will be retained on file and must be kept up to date. If you aware your license is expiring, you must provide notification and progress, and a copy of your new license. Vehicles must only be used for council business, unless specific permission for limited personal use (e.g. commuting) is granted in writing.

Driving Standards and Conduct

Drivers must comply with all UK road traffic laws, including speed limits, drink/drug driving laws, and mobile phone restrictions. Drivers must ensure they are fit to drive and

must not drive under the influence of alcohol, drugs, or medication that impairs driving. Aggressive driving, speeding, or misuse of the vehicle may result in disciplinary action.

Vehicle Checks and Maintenance

Daily walk-around checks (e.g. tyres, lights, mirrors, fluids) must be carried out and any concerns recorded with the Clerk before use. Any damage, defect or warning light must be reported immediately to the Clerk before continued use of the vehicle. Vehicles should be kept clean and tidy. Modifications are not permitted without prior Council approval in writing.

Use of Fuel Cards

Fuel cards must only be used for council vehicle fuel purchases. Receipts should be retained where required, and misuse of the card may result in disciplinary action.

Use of Council Credit Card

The Council Credit card should be used for any items that cannot be purchased on existing 30-day accounts. Receipts should be retained, and misuse of the card may result in disciplinary action.

Accidents and Incidents

All road traffic accidents and/or in the event of a breakdown, regardless of fault, must be reported immediately to your manager, the Clerk and to the Council's insurance provider. An accident report form must be completed within 24 hours.

Parking and Security

Vehicles must be parked safely, legally, and considerately at all times. When unattended, vehicles should be locked, and valuables removed from view. Overnight parking at home may be allowed by agreement in writing from the Council, but home addresses must be recorded.

Penalties and Fines

Drivers are personally responsible for any fines or penalties incurred, including parking fines, speeding tickets, or congestion charges. Failing to report such penalties promptly may result in disciplinary action.

Smoking and Cleanliness

Smoking or vaping is not permitted in any council vehicle at any time. Eating or transporting waste in vehicles should be done with care to avoid hygiene or safety risks.

Training and Medical Requirements

Drivers must inform the council immediately of any changes to their health that may affect their ability to drive. The council may require medical checks or attendance at driver safety training where appropriate.

Disciplinary Action

Misuse of council vehicles may be treated as misconduct or gross misconduct and may result in disciplinary action, including loss of driving privileges or dismissal.

2.15 Expenses

You will be reimbursed for authorised and legitimate expenditure reasonably incurred in the course of the proper performance of your duties, i.e. travel, accommodation, agreed out-of-pocket expenditure.

In order to claim expenses you must complete an expense claim form and support the claim by submitting valid receipts.

Employees' Property

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

Lost Property

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

2.16 General

Statements to the Media

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

Parking

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

Improper Rewards

It is a criminal offence under the Local Government Act 1972 for an employee to demand or accept any fee or reward other than proper remuneration of the post.

Time Off In Lieu (TOIL)

If TOIL is requested and agreed then it must be taken at for a time that is convenient for the Council.

No more than eight hours may be accumulated in any one month and the time off must be taken once 15 hours is reached. Accumulated TOIL must be taken in the same month or the following month.

No entitlement can be carried forward past the month following unless in agreed exceptional circumstances with the Clerk. Any entitlement not taken will be lost.

Aylesford Parish Council may offer payment for these hours, but this is at the decision of the Clerk/Council in exceptional cases.

CCTV/Security Cameras

The Council reserves the right to use closed circuit television (CCTV) systems throughout its premises as deemed necessary and employees should expect all areas (other than those where use would contravene common decency) to be visible on a television monitoring system. Information obtained from systems will only be used in appropriate circumstances and with strict adherence to Data Protection Laws. This may include using recorded images as evidence in disciplinary proceedings.

ABSENCE

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

3.1 Unauthorised Absence

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

3.2 Medical Appointments

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

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

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

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

Necessary paid time off will be granted for cancer screening.

3.3 Ante-natal Care/Adoption Appointments

Pregnancy Related Appointments

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

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

If your partner is pregnant, you are entitled to unpaid time off for up to two antenatal appointments. If you wish to exercise this right you should notify your manager of the

date and time of the appointment. You may be asked to provide written evidence that an appropriate appointment has in fact been made.

Adoption Appointments

Employees who are adopting on their own or have elected to be the primary adopter may take paid time off to attend up to five adoption appointments in certain circumstances.

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

3.4 Sickness Absence

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

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

Aylesford Parish Council recognises that high levels of sickness absence are not good for the Council or the team. We believe in caring for and protecting our employees, ensuring that the reasons for sickness absence are understood, investigated where necessary and action taken where appropriate.

This policy is in place to establish a fair, consistent and compassionate procedure for monitoring sickness absence, whilst reducing the adverse effects on the efficiency of the Council. It outlines the procedure for reporting sickness absence and explains how we will manage short-term and long-term sickness absence and sick pay.

This policy applies to all current permanent and fixed-term employees, whether full-time or part-time.

What to do if you are unwell

If you are away from work because of sickness you must:

- Telephone the Clerk, before your contractual (or normal start time for work) on the first day of absence within one hour of the employee's normal starting time, providing details and how long you expect to be off. If you are unable to call personally, someone else may call for you. It is your responsibility to ensure the Council is notified. You must then telephone again each day (unless otherwise agreed with the Clerk).
- Regular contact must be maintained on subsequent days of absence.

- If you are away for seven days or less (including weekends and other non-working days), you must complete a self-certification form and provide it to the council when you are back at work. The form must be signed by the employee and the Clerk before sending it for recording and payroll purposes
- If you are away for more than seven days (including weekends and other non-working days), you must send in a 'fit to work' statement from your doctor and continue to do so as each new certificate is issued to you. This certificate gives details as to whether you are too ill to work or whether you are well enough to work with suitable support from the Council. This gives you and the Council the opportunity to discuss suitable arrangements which will support your return to work. The form also gives more space for the doctor to provide information about your condition and helpful tick boxes to suggest common ways to help you return to work. Doctor's fit notes must be sent, even where the sick pay entitlement has ceased.
- The Council may also request a doctor's fit note for frequent periods of absence of less than seven calendar days. Any cost incurred in obtaining the certificate in these circumstances will be reimbursed by the Council.
- All sickness or injury absence will be entered on your employment record and will be monitored from time-to-time.
- If a period of absence is prolonged, the employee should maintain weekly contact with the Clerk in order to discuss progress.

Return-to-work meetings

On the first day back at work after a period of sickness absence your manager may want to meet informally. If this is not possible on your first day back, the meeting may take place later. The return-to-work meeting should take place in a private place, and all discussions should be private and confidential.

The meeting would normally include:

- A welcome back to work;
- Outline the purpose of the return-to-work meeting; which is to manage and monitor absence and attendance to identify any problem areas and offer support where appropriate;
- A discussion about the reasons for absence, in a supportive way and to understand whether the council can take any steps to help the employee's attendance;
- Explain that the absence will be recorded;
- Establish if medical advice has been sought (if appropriate);
- Ensure the self-certification form has been completed or a fit note from the doctor has been provided;
- A discussion on absence over the last 52 weeks, the impact on pay and any next steps; and
- A handover of work where appropriate.

Medical appointments

The council recognises that employees will, from time to time, need to attend medical appointments. Please try to arrange medical appointments in your own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the council. The council will allow reasonable time off work with pay for such appointments.

Statutory Sick Pay

If you are ill and unable to attend work, you may be entitled to Statutory Sick Pay (SSP). SSP is currently paid after 4 Qualifying Days absence from work. The Qualifying Days are your normal working days that are in your contract. Tax and National Insurance will be deducted from SSP and if you earn below the lower earnings limit, you will not qualify for SSP. The Qualifying Days for SSP purposes will be your normal working days as laid down in the contract. Employee earning below the lower earnings limit will not qualify for SSP.

It is payable for up to 28 weeks in any one period of sickness absence, at a weekly rate set by the Government for the relevant tax year.

Council's Sick Pay (Occupational Sick Pay)

It is the Council's policy to pay you your normal basic rate of pay exclusive of overtime/allowances during periods of sickness absence of up to [xxx weeks] [and half pay for a further xxx weeks]. This occupational sick pay will be for absences due to sickness calculated over the previous 52 weeks and will include your entitlement to SSP.

Definition of a Day of Sickness Absence

For the purpose of the administration of sickness absence, if an employee leaves work due to sickness after having completed half of their normal working hours, this will be counted as a working day. If the employee leaves work having completed less than half of their normal daily working hours, this day will be counted as a day of sickness absence.

Periods of Sickness Payment

The Council will make sickness payments, up to the following maxima in any calendar year, subject to the notification and certification requirements being met:

| Years of Service | |
|------------------------------------|--|
| During 1st year of service | 1 month's full pay and (after completing 4 months service) 2 months half pay |
| During 2nd year of service | 2 months' full pay and 2 months' half pay |
| During 3rd year of service | 4 months' full pay and 4 months' half pay |
| During 4th and 5th year of service | 5 months' full pay and 5 months' half pay |
| After 5 years service | 6 months' full pay and 6 months' half pay |

If an employee is on sick leave at the end of a calendar year and remains so at the beginning of the following calendar year, the Council will continue to make payments, based on eligibility in the previous calendar year. When the maximum payments have been received, based on the previous calendar years' service, there will be no further entitlement to sickness payments until the employee has returned to work in the new calendar year for a minimum continuous period of 21 working days.

Sick pay conditions

Sick pay under the Aylesford Parish Council's scheme is subject to the usual deductions for PAYE, national insurance, pension contributions, etc and payments are inclusive of any entitlement to SSP.

Payment is, however, conditional upon you complying with the council's procedure for notifying your manager of the absence, attending an interview with your manager on request to discuss the absence, and completing a self-certification form on return to work or providing a fit-note when requested. We may also ask you to attend an interview/examination with a nominated doctor at the request of the Council.

We may not pay you occupational sick pay where:

- You have failed to comply with the Council's sickness absence notification and evidence requirements;
- You unreasonably refuse to attend a sickness absence meeting with the Council on request;
- You refuse to attend a medical examination at the reasonable request of the Council;
- You are unable to work because you hurt yourself in dangerous sports / activities or any other occupation you have;
- Continued absence is due to you conducting yourself in a way that prejudices your recovery;
- You have misled the council about your fitness to work;
- You have resigned; or
- Where disciplinary proceedings are pending against you.

- If the Council believes, after investigation, that there are no good reasons to support a period or periods of sickness absence, in which case this may be dealt with as a disciplinary matter.
- If the employee is in paid employment elsewhere during any sickness absence. Employees will be given written notice if their SSP or contractual sick pay is being withheld or suspended.

Definition of Sickness Payment

Full Sick Pay is the employee's basic rate of pay and fixed annual allowances and will include Statutory Sick Pay (see below) payments for which they are eligible.

Half Sick Pay is half the employee's basic rate of pay less all fixed annual allowances and Statutory Sick Pay (see below) payments for which they are eligible will be added on to the half pay as long as this amount does not exceed the normal rate of pay.

If an employee is no longer eligible for Council sick pay he or she may still be eligible for SSP as mentioned previously.

Absence as a Result of Actions by a Third Party

If any sickness absence is caused or appears to have been caused by a third party and this results in the employee claiming damages against the third party the Council must be notified of the fact and informed of the progress of any resultant litigation. When making the claim, the employee should include a claim for loss of earnings. In these circumstances any sick pay paid to the employee by the Council will be regarded as a loan to be repaid when compensation is recovered for loss of earnings.

Sickness Absence and Annual Leave

If an employee falls ill whilst on leave and produces a doctor's fit note (at their own expense) to cover the leave period, it will be treated as sick leave and will not count against annual leave entitlement.

Salary Review

If there is a salary review whilst an employee is on long term sick leave, their salary will be reviewed on their return to work.

Medical advice

The Council may want to obtain advice on your fitness for work from occupational health advisers or medical practitioners.

Examples of when the Council might refer to occupational health or a medical practitioner include the following:

- To seek a medical report on your illness or injury;
- To establish when you might be able to return to work;
- To understand when you are likely to be fully fit to resume your normal duties;
- To understand what alternative duties you might be fit to undertake if you are unfit to resume your normal duties;
- To understand when you are likely to be fit to undertake any alternative duties;

- To ask for guidance on your condition, for example if there is a possibility that you are disabled or ambiguity as to the exact nature of the condition;
- To ask what reasonable adjustments could be made to working conditions or premises to facilitate a return to work;
- To understand the likely recurrence of the illness or injury once you have returned to work; and
- To discuss any adjustments that could be made to accommodate your disability, if you are disabled.

The Council will pay the cost of the report and you will have the right to see it. The Council will also be provided with a copy of the report and once we have seen it, we will want to meet you to discuss the findings and consider options available to you.

If you choose not to consent to an Occupational Health referral, any decisions in relation to your employment may be made without the benefit of access to medical reports.

For long or frequent periods of absence employees may be referred to a General Practitioner (GP), appointed by the Council, to conduct a medical examination. In addition, the employee's GP., Consultant or Specialist may be contacted by the GP appointed by the Council and asked to supply a report on the individual's state of health and/or to provide direct access to medical records. This requires the employee's written permission.

3.5 Jury Service/Other Time Off

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

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

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

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

3.6 Compassionate/Bereavement Leave

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

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

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

An employee will not be eligible to receive paid bereavement or compassionate time-off benefits while off, or absent from work because of holiday, sickness (paid or unpaid) or for any other reason.

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 the Clerk (or Chair of the Council) before taking any time off and, in any event, at the earliest opportunity.

Contact by telephone to explain the circumstances, and if possible, an indication of the length of time-off you are likely to need in order to make alternative arrangements. If the Clerk (or Chair of the Council) is unavailable you must contact another councillor instead.

All requests for compassionate leave will be dealt with on a confidential basis.

3.7 Parental Bereavement Leave

Employees are entitled to statutory parental bereavement leave (SPBL) if a child for whom they have or were due to have parental responsibility has died or been stillborn after 24 weeks of pregnancy.

Leave can be taken as one week, two consecutive weeks, or two separate weeks, at any time within the first 56 weeks after the child's death.

Notification

During the first eight weeks after a child has died, you, or someone on your behalf as necessary, need only give notice to the Council to take SPBL before you are due to start work on the first day of leave. If you have already started work, then officially your SPBL period will start on the following day. If you want to cancel it at any time during the first seven weeks you can do so as long as it has not started.

After eight weeks, you need to give at least a week's notice to the Council to take SPBL. You can cancel it with a week's notice, or re-book it by giving a week's notice.

When giving notice to take SPBL, you must tell the Council: the date of the child's death; when you want your leave to begin; and whether you want to take 1 or 2 weeks leave). You can give notice by telephone or by email or by letter.

Parental Bereavement Pay

To qualify for statutory parental bereavement pay (SPBP) during such leave you must have at least six months' continuous employment and normal weekly earnings of at least the lower earnings limit. It is paid at the same rate as other statutory family leave pay, which is subject to change every year. You can check the most up-to-date figure with the Clerk.

To claim SPBP, you must confirm the following information in writing within 28 days of starting any period of SPBL: your name; your entitlement to SPBP; the dates of SPBL you want to claim the pay for; the date of the child's death; and your relationship to the child. You can provide this information at the same time as giving notice to take SPBL, as set out above, so long as it is in writing.

Other leave entitlements

In addition to parental bereavement leave, if you qualified for:

- maternity or paternity leave and pay and your child has died or been stillborn, you are still entitled to such leave and pay.
- adoption leave and pay, then the adoption leave entitlement runs for another eight weeks from the end of the week in which the child died (unless it would already have ended sooner).

If your planned period of SPBL coincides with another statutory family leave right, your SPBL will end at the start of that other leave. If you wish to take SPBL at the end of the other statutory family leave period, then a fresh notice to take the leave will be required, as per the above notice requirements.

Compassionate or Dependants leave may be available under our Compassionate or Dependants Leave Policy at our discretion. Please speak to your manager if you require time off in addition to parental bereavement leave.

3.8 Emergency Time Off for Dependants

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

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

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

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

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

3.9 Annual Leave

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

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

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

What notice do I need to give?

All requests for leave should be made at least 4 weeks in advance. The means of requesting leave may change from time to time and you should comply with whatever procedure is in place at the time of the request.

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

Certain times of year are particularly popular times for requesting holiday. Generally, subject to the needs of the Council, leave will be granted on a first come first served

basis, but exceptions may be made in the interests of ensuring that holiday is spread through the year on a fair and equitable basis.

Our Holiday Year

All employees are encouraged to take their full holiday entitlement during the holiday year which runs from 1 April to 31 March. However, it is your responsibility to schedule your holiday so that it can be taken at an appropriate time.

Employees will not usually be permitted to carry over holiday entitlement into the following holiday year. Therefore, if you do not take your annual leave entitlement in the leave year in which it has accrued, unless you are permitted to carry over the untaken leave, you will lose the right to use it.

In certain circumstances, at the Council's discretion and subject to certain rules, the carrying over of a proportion of annual leave may be allowed.

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

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

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

3.10 Reserve Forces

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

3.11 Carer's Leave

All employees are entitled to one week's unpaid leave in any 12-month period to provide or arrange care for a dependant with a long term care need. A "week" for these purposes will be equal in duration to the period you are normally expected to work in a week at

the time of making the request. How that is calculated will depend on whether you have non-variable or variable hours of work.

A dependant is:

- your spouse, civil partner, child or parent;
- someone who lives in the same household as you, otherwise than by reason of being your boarder, employee, lodger or tenant, or;
- anybody else who reasonably relies on you to provide or arrange their care.

A dependant has a long-term care need if:

- they have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months,
- they have a disability for the purposes of the Equality Act 2010, or
- they require care for a reason connected with their old age.

The minimum period of carer's leave that can be taken at one time is half a working day, with the maximum period being one continuous week. Leave need not be taken on continuous days.

You must give notice of your request to take a period of carer's leave. This can relate to all or part of the leave to which you are entitled. The notice must:

- Specify that you are entitled to take carer's leave;
- Specify the days on which you would like to take carer's leave and if you will take a full or a half day; and
- Be given with the following minimum notice periods depending on how many days of leave you want to take: Half a day to 1 day - 3 days' notice; 1.5 to 2 days - 4 days' notice; 2.5 to 3 days - 6 days' notice; 3.5 to 4 days - 8 days' notice; 4.5 to 5 days - 10 days' notice; or 6 days (if you work 6 days a week) - 12 days' notice.

The notice does not need to be in writing, but it would be helpful if it was in order to maintain an accurate record of what is being requested.

The Council may, in our absolute discretion, waive the notice length requirement above, and as long as the other requirements are met, the request will be treated as one for carer's leave.

If the Council reasonably considers that the operation of the business would be unduly disrupted if your request was granted, we may postpone the start of the carer's leave after consulting with you to agree an alternative date(s) which is/are no later than one month after the earliest day or half day of the request. In these circumstances, the Council will give written notice to you of the postponement, setting out the reason for the postponement and the agreed dates you can take the leave. This notice will be given no

later than the earlier of: (a) seven days after your notice was given to the Council, or (b) before the earliest day or half day requested in your notice.

Pension contributions will not be made during any period of unpaid leave.

4

FLEXIBLE WORKING AND FAMILY RELATED LEAVE

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

4.1 Flexible Working

What is flexible working

Every staff member has a contract of employment that sets out the working hours. A request to work flexibly is a request from the employee to change either the number of working hours, when or where they are worked. Flexible working does not mean a member of staff can work the hours they wish from day-to-day, week-to-week.

Flexible working arrangements take account of employees' preferences, interests and non-work responsibilities whilst also meeting the needs of the council. Common examples of flexible working include part-time working; zero-hours / casual working; variable hours; flexitime; job-sharing; term-time working; compressed hours; career breaks; and sabbaticals.

Flexible working can result in benefits to councils, in that such arrangements can help make the most of today's diverse workforce and improve the council's ability to recruit and retain staff. It is good practice to make flexible working open to all staff.

This policy has been written to explain the process which we will use to respond to requests by staff to vary hours, pattern or place of work.

Purpose and scope

You have a statutory right to request a change to your contractual terms and conditions of employment to work flexibly from the first day of your employment, regardless of whether you work full or part-time or have a temporary contract of employment. It does not apply to agency staff.

Policy

Our policy is to comply with both the spirit and the letter of the law on the right to request flexible working. To this end its aim is to inform all staff of their right to request flexible working and to ensure those rights are understood and that staff feel confident any decisions regarding their requests will be handled objectively, fairly, free from discrimination, and that staff will not be treated detrimentally because they have asked for flexible working arrangements.

Making a request

To apply for flexible working, please provide the following information in writing, and submit this to the Clerk. In the case of the Clerk, the request should be submitted to the Chair of the Council:

- The date of the application,
- A statement that this is a statutory request,
- Details of how you would like to work flexibly and when you want to start,
- An explanation of how you think flexible working might affect the council and how this could be dealt with, e.g. if you're not at work on certain days, and,
- A statement saying if and when you've made a previous application.

You can make two statutory requests in any 12-month period. You are asked to let us know if you are making the request because you consider the change could be a reasonable adjustment to support a disability.

Responding to your request

Once we receive your written request, we will arrange a discussion with you as soon as possible, unless we agree immediately to your request. It may be that we need to ask you to supply further details before the meeting. If there is likely to be a delay in discussing your request, we will inform you. You may be accompanied at the meeting by a work colleague.

Having the right to request a change to your working arrangements does not necessarily mean that your request will be accepted. Your request will be fully discussed at the meeting. We will carefully consider your request looking at the benefits of the requested changes on working conditions for you as an employee and the council and weighing these against any adverse impact of implementing the changes.

Having considered the changes, you are requesting and weighing up the advantages, possible costs and potential logistical implications of granting the request, we will write to you with the decision. The decision will be either:

- To accept the request and establish a start date, with or without a trial period and review date. Where the request is granted, we will set out what changes will be made to your terms and conditions of employment, or,
- To propose an alternative, which may require further discussion, or,
- To confirm a compromise agreed at the discussion, or,
- To reject the request, setting out the reasons, how these apply to the application and the appeal process.

Requests to work flexibly will be considered objectively, however we may not always be able to grant a request to work flexibly if it cannot be accommodated. If we turn down

your request, it will be because of one, or a combination of the following reasons, and we will explain why.

- The burden of additional costs is unacceptable to the council
- Detrimental effect on the council's ability to deliver for the community
- Inability to re-organise work among existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes to the council
- any other ground allowed by regulations

If you are only looking for an informal change for a short period to your working hours or conditions, for instance to pursue a short course of study, we may consider allowing you to revert back to your previous conditions after a specified period, e.g. three months, or after the occurrence of a specific event, such as the end of a course of study.

Trial periods

Trialling an arrangement before deciding on a request can be helpful where there is some uncertainty about whether the arrangement is practicable for both sides. It also gives the opportunity to try different solutions for managing any difficulties posed by the new arrangement.

Trial periods will normally last between two and six months, during which time

- We will monitor how the arrangement is working out and hold regular meetings with you to discuss this.
- We will make a final decision towards the end of the trial period, unless the arrangement is clearly not working, in which case it may be necessary to end the trial period early.
- Your terms and conditions of employment will change on a temporary basis.

You must be aware that if your request is approved you only have the statutory right to make two requests in a 12-month period, although you may still ask without the statutory right.

Timeframe for dealing with requests

We will do what we can to respond to your request as soon as possible although the law requires the consideration process to be complete within two months of first receiving a request, including any appeal. If the request cannot be dealt with within two months, we may ask to extend the consideration process, provided you agree to the extension.

Handling requests in a fair way

We may receive more than one request to work flexibly closely together from different employees and it may or may not be possible to accept all requests. If we agree to a request for flexible working arrangements this does not mean that we can also agree to a similar change for another employee. Each case will be considered on its merits looking at the business case in the order they have been received. We may need to take others' contractual terms into account and we may ask you if there is any room for adjustment or compromise before coming to a decision.

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

Appealing the decision

If we decline your request and you wish to appeal, you must do so, in writing, within 5 days of receiving the letter informing you of the outcome.

We will then write to you to arrange a meeting to discuss your appeal. This meeting will be held as soon as reasonably possible and will normally be with a sub-committee of councillors. You may wish to be accompanied at that meeting by a work colleague.

There may be circumstances when the council is unable to meet within the required timeframes, in which case a meeting will be held as soon as is practically possible.

The effect on your contract of employment

Any change in your hours or pattern of work will normally be a permanent change to your contractual terms and conditions. This means that you will not automatically be able to revert back to the previous working pattern (unless otherwise agreed). So, for example, if your new flexible working pattern involves working reduced hours, you will not automatically be able to revert to working full time hours.

Changes to your working pattern may affect other terms and conditions of employment. For example, reducing your hours of work will mean that your pay and leave will be pro-rated accordingly. Your pension may also be affected.

Any changes to your terms and conditions as a result of a change to your working pattern will be confirmed in your decision letter, however if you have further queries about how a proposed change to your pattern of work might affect your terms and conditions please speak to the Clerk or Chair of the Council in the first instance.

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

4.2 Maternity Leave

All employees who give birth are entitled to take maternity leave which lasts for a maximum of 52 weeks. Employees with at least 26 week's continuous service immediately before the 15th week prior to the expected week of childbirth will also be entitled to be paid Statutory Maternity pay (SMP) for up to 39 weeks of their absence. Because this is a statutory payment there are a number of procedural requirements that must be met in order to make sure that an employee qualifies. The most important requirements are set out below, but if you have any doubts about the rules that apply you should speak to a member of the management team who will make sure that you have all the appropriate information.

Notification

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

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

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

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

Start of Maternity Leave

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

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

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

You may change the date on which you intend to start your maternity leave, but you must notify the Council of your new start date at least 28 days before the original date

given (or the new date, if that is sooner). If there is a reason why you cannot give this notice then you should explain the situation to the Clerk and the Council will attempt to accommodate your changed circumstances. However, the Council may need to insist on delaying the start of your leave until at least 28 days have passed since your notification of a changed date.

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

Duration of Maternity Leave

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

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

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

Dismissal or Resignation

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

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

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

Statutory Maternity Pay

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

To pay SMP, the Council needs to be given at least 28 days' notice that you intend to claim it. This will normally be given when you inform the Council of your intended start

date for maternity leave. If it is not possible to give 28 days' notice, you should give as much notice as is reasonably practicable.

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

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

Returning to Work Early

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

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

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

Returning to Work Late

Following your maternity leave, you are required to return to work on the date notified to you as your expected date of return. If you are unwell on that date then you should follow the sickness absence reporting procedure set out in Section 3.4 of this handbook.

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

Rest facilities

The meeting room is a place where a pregnant or nursing mother can rest.

Maternity Suspension (Health and Safety Reasons)

Depending on the nature of your job, there may be circumstances in which it is unsafe for you to continue working while you are pregnant. In some circumstances the law requires a pregnant employee to be suspended on full pay or transferred to alternative duties. Jobs which may come under this category are identified in the risk assessments

that the Council has carried out under its health and safety policy. If you are affected by any health and safety issues connected with your pregnancy then the Council will discuss any detailed arrangements that need to be made until it is safe for you to return to your original duties.

4.3 Adoption Leave

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

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

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

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

Notification

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

Your notification should set out:

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

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

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

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

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

Statutory Adoption Pay

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

Returning to Work Following Adoption Leave

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

4.4 Paternity Leave

Employees with 26 weeks' continuous service, either ending with the 15th week before the expected week of childbirth or ending the week in which agency notifies you have been matched with a child, will be entitled to take paternity leave if they expect to have parental responsibility for a child and they are either the mother's partner or one of the adoptive parents. The purpose of the leave must be either to care for the child or to provide support for the child's mother or adoptive parent. This policy relates to a child whose expected week of childbirth (EWC) is after 6 April 2024 or whose placement date, or expected date of entry into Great Britain for adoption, is on or after 6 April 2024. For a child whose EWC or placement date is before this, please speak to the Clerk in order to discuss your rights regarding paternity leave.

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

Employees entitled to take paternity leave are entitled to two weeks of leave, which can be taken as two consecutive weeks, or two non-consecutive blocks of one week.

Paternity leave cannot start before a child is born or placed and must be taken at some stage within the first year following birth or adoption (except when the child is born prematurely in which case the leave must be taken within the 52 weeks following the expected week of childbirth).

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

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

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

4.5 Parental Leave

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

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

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

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

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

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

Pension contributions will not be made during any period of unpaid leave.

4.6 Shared Parental Leave

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

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

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

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

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

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

4.7 Keeping in Touch Days

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

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

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

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

4.8 During Maternity/Adoption or Shared Parental Leave

The Council is keen to keep in touch with employees who are on extended periods of leave, to inform them of any news and consult them over any changes which may take place in the Council. However, we appreciate that many employees would prefer to be

left alone at this very important time in their lives. In order to get the balance right, your manager may, before your leave begins, discuss with you how best we can keep in touch while you are away.

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

4.9 Homeworking and Hybrid Working Policy

We support homeworking in appropriate circumstances, either occasionally (to respond to specific circumstances or particular tasks) or on a regular (full or part-time) basis. Homeworking can also be a means of accommodating a disability and can be requested as a means of flexible working under our Flexible Working Policy. If you are permitted to work from home, you must comply with this policy.

We recognise that there are a number of homeworking arrangements that you may request, and that these arrangements may be requested as part of a flexible working application, such as:

- a) working from home as your main place of work;
- b) working from home on a part-time basis on fixed days of the week; or
- c) splitting your working time between the workplace and your home subject to business factors and manager approval.

If you want to vary your working arrangements so that, either permanently or temporarily, you work from home for all or part of your working week, you will need to make a flexible working request in accordance with our Flexible Working Policy. Any request to work from home must meet the needs of the Council as well as your needs. Initial discussions will take place with the Clerk, however, all final decisions on flexible working requests will be made by the Clerk and/or Staffing Committee. Final confirmation of your flexible working request will be provided by the Clerk.

A hybrid working arrangement is an informal flexible working arrangement which allows you to split your working time between the workplace and an agreed remote working location, such as your home. Hybrid working arrangements will differ depending on the nature of your role, duties and responsibilities and so are discretionary and subject to agreement in writing with the Clerk and/or Staffing Committee. Any hybrid working arrangement is subject to you spending a minimum amount of your work time working from your workplace. Such proportion will be determined at the time of any agreement being made. Your remaining working time may be worked from your workplace or your remote working location, as agreed in writing with the Clerk.

Any agreed hybrid working arrangement is subject to the requirement for you to attend the workplace on our reasonable request to accommodate the needs of the Council, such as to attend training or meetings. All hybrid working arrangements are subject to ongoing review and may be modified for reasons including a change in the Council's needs or performance concerns.

Conditions Necessary for Homeworking and Hybrid Working

Not all roles and not all jobs are suitable for homeworking/hybrid working. You should not assume that a flexible working application to work from home will automatically give you the right to amend your working hours or any other aspect of your working arrangements.

A request for homeworking or hybrid working is unlikely to be approved, on either an occasional or permanent basis, if:

- a) you need to be present in the workplace to perform your job (for example, because it involves a high degree of personal interaction with colleagues or third parties, or involves equipment that is only available in the workplace);
- b) your most recent appraisal identifies any aspect of your performance as unsatisfactory;
- c) the Clerk, has advised you that your current standard of work or work production is unsatisfactory;
- d) you have an unexpired warning, whether relating to conduct or performance; or
- e) you need training or supervision to deliver an acceptable quality or quantity of work.

If you wish to apply to work from home or are working under a hybrid working arrangement, you will need to be able to show that you can:

- a) have a suitable working environment at your home that enables you to carry out your role effectively;
- b) continue to work the hours required by your contract of employment;
- c) work independently, motivate yourself and use your own initiative;
- d) manage your workload effectively and complete work to set deadlines;
- e) identify and resolve any new pressures created by working at home;
- f) adapt to new working practices, including maintaining contact with the Clerk, your line manager, and colleagues at work;
- g) make arrangements for the care of any children or other dependants when you are working from home; and
- h) determine any resulting tax implications for yourself.

Location

If a homeworking arrangement is in place, you will be required to work from your home address. If you wish to work from a different location at any time, you will need to agree this with the Clerk in advance and that request is subject to their written approval.

Under a hybrid working arrangement, your primary remote working location should be agreed with the Clerk in advance and is subject to their written approval. Your primary remote working location must be within commuting distance of your workplace unless written approval has been provided by the Clerk. You will be required to finance any travel and/or related expenses incurred when travelling to and from your remote working location and your workplace.

Management, Training And Workplace Attendance

The Clerk will remain responsible for supervising and assessing you in the same way as staff based in the workplace and will agree the best way to appraise your performance and provide ongoing supervision in a remote way. The Clerk will regularly review your working arrangements and take steps to address any perceived problems. They will ensure that you are kept up to date with any changes to the workplace or information relevant to your work.

You will be subject to the same performance measures, processes and objectives that would apply if you worked permanently in the workplace.

If you receive an unsatisfactory grade in an appraisal or informal review, or are subject to a written warning for any reason, your homeworking/hybrid working arrangements may be terminated immediately, in which case you will be expected to return to work in the workplace.

You will be provided with the same opportunities for training, development and promotion as provided to staff based in the workplace. If your working arrangements will impact on your ability to apply for certain roles, the Clerk, or Staffing Committee will discuss this with you to ensure that you are not denied any opportunity unfairly.

You agree to attend the workplace or other reasonable location for meetings, training courses or other events which we expect you to attend.

You understand that when you do attend the workplace, you may have to hot desk or share a desk with someone else.

Health And Safety

When working at home, you have the same health and safety duties as other staff. You must take reasonable care of your own health and safety and that of anyone else who might be affected by your actions and omissions. You must attend our usual health and safety courses, read the Health and Safety Policy, (the Clerk can provide a copy) and undertake to use equipment safely.

To identify any potential health and safety hazards in the home and take appropriate steps to minimise risk, we retain the right to carry out a health and safety risk assessment (either remotely or by arranging a home visit) before or shortly after you begin homeworking. We will contact you to arrange completion of the risk assessment. The need for these inspections will depend on the circumstances, including the nature of the work you undertake.

You must not have meetings in your home with customers or give customers your home address or telephone number.

You must ensure that your working patterns and levels of work when working at home are not detrimental to your health and wellbeing. If you have concerns about your health or wellbeing arising as a result of your workload or working pattern, you should inform the Clerk without delay so that we can discuss measures to deal with this.

You must use your knowledge, experience and training to identify and report any health and safety concerns to the Clerk.

Equipment and Suitable Workspace

We will provide the equipment that we consider you reasonably require to work from home. We will make all necessary arrangements for and bear the cost of installing, maintaining, repairing or replacing (where necessary), and removing equipment from your home. Where equipment is provided, it remains our property and you must:

- a) ensure it is only used by you and only for the purposes for which we have provided it;
- b) take reasonable care of it and use it only in accordance with any operating instructions and our policies and procedures;
- c) make it available for collection by us or on our behalf when requested to do so; and
- d) not use any personal device or computer for work.

When travelling between your remote working location and your workplace, you agree to keep equipment provided by us secure at all times.

On termination of your homeworking/hybrid working arrangement or on termination of your employment, you must return all equipment provided by us. Where necessary, we may need to arrange a home visit to reclaim equipment and will contact you to make the appropriate arrangements.

It is your responsibility to ensure that you have a suitable workspace at home with adequate lighting for working from home. We are not responsible for the associated costs of you working from home, including the costs of heating, lighting, electricity, broadband internet access, mobile or telephone line rental, or calls.

If you have a disability, you should inform us if you require any specialised equipment to work from home comfortably.

Insurance Requirements

We are responsible for taking out and maintaining a valid policy of insurance covering any equipment we provide against fire, theft, loss and damage throughout your employment.

We are not liable for any loss, injury or damage that may be caused by any equipment that is not provided by us but required by you to work from home.

You are responsible for ensuring that working from home will not invalidate the terms of your home insurance. You should ensure that you check your home insurance policy before commencing homeworking and inform your home and contents insurance provider of your working arrangements as required.

You should check the terms of your mortgage, lease or rental agreement before commencing working from home to ensure this does not breach any of the terms. It is your responsibility to inform your bank, mortgage provider or landlord that you are working from home and seek any necessary approval before commencing homeworking.

When you are working at or from home, you are covered by our insurance policy. Any accidents must be reported immediately to the Clerk in accordance with our Health and Safety Policy.

Data Security and Confidentiality

The Clerk must be satisfied that you are taking all reasonable precautions to maintain confidentiality of material in accordance with our requirements.

You are responsible for ensuring the security of confidential information in your home and when travelling to and from your workplace. You must not use your personal computer equipment for storing any confidential information.

When working from home, you undertake to:

- a) change your password every 3 months and comply with our instructions relating to password security;
- b) use our designated VPN
- c) install current antivirus and malware protection on any personal device or computer used for work;
- d) comply with our instructions relating to software security and to implement all updates to equipment as soon as you are requested to do so;
- e) protect by password any confidential information held on any personal device or computer;
- f) keep work data and personal data separate on any personal devices used for work purposes;

- g) send work-related emails and messages through our designated communication facilities;
- h) share data only through our designated online document-sharing system;
- i) make all work-related calls through our designated video-conferencing software;
- j) maintain a private space for confidential work calls;
- k) ensure that any display screen equipment is positioned so that only you can see it or a privacy screen is used;
- l) lock your computer terminal whenever it is left unattended;
- m) ensure no one else in your home has access to confidential information stored on our equipment ;
- n) ensure any wireless network used is secure;
- o) change your wireless network passwords every 3 months and ensure that your wireless network router has software security updates applied;
- p) keep all papers containing confidential information in filing cabinets that are locked when not in use, and ensure that no one else in your home has access to those papers; and
- q) shred or otherwise dispose securely of confidential information when it is no longer required and at all times comply with our instructions on document retention.

To comply with data protection obligations, you will only store or process Council data or personal data on equipment which has been provided by or authorised by us.

To comply with data protection legislation, we retain the right to conduct a data protection impact assessment (DPIA) to assess the risks involved with data processing in the home. Where this is necessary, we will contact you to arrange the DPIA.

If you discover or suspect that there has been a data breach or an incident involving the security of information relating to us, our clients, our customers, or anyone working with or for us, you must report it immediately to the Clerk.

Termination Of Homeworking or Hybrid Working Arrangement

We reserve the right to terminate your homeworking or hybrid working arrangement, for example, due to a change in business needs, performance concerns or if your role changes such that homeworking or hybrid working is no longer suitable, subject to 4 weeks' notice.

If you want to terminate your homeworking or hybrid working arrangement, you must give the Clerk 4 weeks' notice to allow us to arrange a desk space for you in the workplace and collect any equipment that is no longer required.

4.10 Neonatal Care Leave Policy

This policy is intended to reflect the statutory provisions and provides guidelines only. If there is any conflict between this policy and the statutory provisions, the latter will prevail.

Employees are entitled to Statutory Neonatal Care Leave (SNCL) if a child born on or after 6 April 2025, for whom they have parental responsibility, is receiving, or has received, "neonatal care" which started within 28 days of birth and has lasted for seven full consecutive days, not counting the day on which the care starts (and in adoption cases, not counting any time spent in neonatal care before being placed/entering GB) (the "qualifying period"). "Neonatal care" means medical care in hospital or any continuing hospital outpatient care (including monitoring and home visits from healthcare professionals directed by a consultant and arranged by the hospital), or palliative/end-of-life care. The SNCL must be taken for the purpose of caring for the child (save for a subsequent bereavement).

SNCL can be taken in weekly blocks for every uninterrupted week their child received neonatal care, starting no earlier than the day after the qualifying period (as above), up to a maximum of 12 weeks, and must be taken within 68 weeks of the birth. So, for the first week of SNCL taken, the earliest it can start is on day 9 of being in neonatal care.

Up until the 7th day after the child stops receiving neonatal care (including if it stops but starts again within 28 days of birth and providing the qualifying period is met), the weekly blocks can be taken either continuously or non-continuously. After that, the weekly blocks must be taken continuously.

Notification

Up until the 7th day after the child stops receiving neonatal care you only need to give notice to us to take SNCL before you are due to start work on the first day of each week of leave or, where this is not possible, as soon as reasonably practicable. If you have already started work, then officially your SNCL period will start on the following day.

When giving notice you must specify: the child's date of birth; in adoption cases, the date of placement or the date the child entered GB; the date(s) the child started to receive neonatal care; if it stopped, the date(s) it ended; the date(s) you wish SNCL to begin and how many weeks for; confirmation you are taking the leave to care for the child; and if it is the first notice for that child, confirmation you meet the eligibility requirements as to family relationship with the child.

Where the neonatal care is ongoing, you must notify us of the date the care ends, as soon as is reasonably practicable. If the child starts to receive neonatal care again, you must notify us of the start date and the end date, as soon as reasonably practicable in each case.

You can give the above notice by telephone or by email or by letter. However, if telephoning, it would be helpful if it was subsequently put in writing at least within 28 days of the first day your SNCL in order to maintain an accurate record of what is being requested, and in any event must be done so if claiming statutory neonatal care pay (see below).

After 7 days after the child stops receiving neonatal care, you need to give us at least 15 days' notice if you want to take a single week of SNCL, or at least 28 days' notice if you want to take two or more consecutive weeks' of SNCL. The notice must be in writing and specify the same information as set out above. You can cancel it and/or rebook it with the same amount of notice.

Neonatal Care Pay

To qualify for statutory neonatal care pay (SNCP) during SNCL, you must have average weekly earnings of at least the lower earnings limit and at least 26 weeks' continuous employment by the end of the relevant week, which is: the 15th week before the expected week of childbirth (in birth and surrogacy cases); the week in which the adoption agency or local authority notified you of a match (in UK adoption cases); or the week before the neonatal care starts (in any other case). You will already meet these criteria if you have qualified for statutory maternity/paternity/adoption/shared parental pay. It is paid at the same rate as statutory paternity pay, which is subject to change every year. You can check the most up-to-date figure with your line manager.

Up until the 7th day after the child stops receiving neonatal care, to claim SNCP you must give notice in writing stating the week(s) in respect of which the payments are to be made and with the same information specified as when claiming SNCL, within 28 days of starting any period of SNCL you are claiming SNCP for. You can provide this information at the same time as giving notice to take SNCL, so long as it is in writing.

After 7 days after the child stops receiving Neonatal Care, to claim SNCP you must give us the same amount of notice and same information, in writing, as you must give if you want to take SNCL and state the week(s) in respect of which payments are to be made.

Interaction with other Family Leave

SNCL is in addition to other forms of statutory leave, so long as it is taken within 68 weeks of the child's birth. So, for example, if you are taking maternity / adoption / paternity leave, you may add a period of SNCL onto the end of that leave. It acts as a "top up" to give back an amount of statutory family leave that an employee has effectively lost while their child is receiving neonatal care.

If your SNCL is interrupted by the start of another pre-booked period of statutory family leave (such as paternity leave, parental leave or shared parental leave) then the interrupted SNCL period will resume straight away after the end the other leave, provided the neonatal care is still ongoing or has ended within the last week. If the neonatal care ended more than a week ago, the remainder of the interrupted NCL must be taken consecutively with any further period of NCL that you are intending to take. Also, if the neonatal care ended more than a week ago and you want to book NCL, you should ensure that it will not be interrupted by the start of another period of family leave you have booked.

5

HOW WE RESOLVE ISSUES

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

Recording of meetings: Due to the confidential nature of disciplinary and grievance proceedings you must not make electronic or audio recordings of any meetings or hearings conducted under the procedures set out in section 5. You should ensure that any companion you may bring with you to such meetings is also aware of this rule.

5.1 Disciplinary and Unsatisfactory Work Performance

This Disciplinary Policy sets out the policy for misconduct and underperformance and outlines the procedure to be followed where concerns arise. Its primary purpose is to help employees improve unsatisfactory conduct and, wherever possible, to resolve issues informally before formal action is considered.

The Council is committed to applying this policy fairly, consistently and in accordance with the Equality Act 2010. We will take all reasonable steps to support employees in meeting required standards, including through informal coaching and supervision where appropriate.

While recognising the difference between misconduct and unsatisfactory work performance, the Council will apply this policy to both types of issues to ensure a consistent and fair approach. Alleged underperformance will normally be addressed through performance management measures, with the disciplinary procedure only used where such measures prove ineffective.

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

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

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

While recognising the difference between misconduct and unsatisfactory work performance, the Council will apply this policy to both types of issues to ensure a

consistent and fair approach. Alleged underperformance will normally be addressed through performance management measures, with the disciplinary procedure only used where such measures prove ineffective.

This policy confirms:

- Informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance
- The Council will fully investigate the facts of each case
- Employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
- Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
- Employees may be accompanied or represented by a workplace colleague, a trade union representative, or a trade union official at any investigatory, disciplinary, grievance, or appeal meeting. The companion is permitted to address such meetings, put the employee's case, and confer with the employee, but cannot answer questions on the employee's behalf, address the meeting against the employee's wishes, or prevent the employee from explaining their case.
- The Council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend.
- Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions
- If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within 5 working days of the original meeting date unless it is not unreasonable to propose a later date
- Any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- Information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. Disciplinary records will be held in accordance with the General Data Protection Regulation (GDPR).
- Audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- Employees have the right to appeal against any disciplinary decision within 5 working days of the employee receiving written notice of the disciplinary action. The appeal decision is final
- If an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- Disciplinary action can include an oral warning, a written warning, final written warning or dismissal
- This procedure may be implemented at any stage if the employee's alleged misconduct warrants this

- Except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct
- If an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it
- Mediation may be considered at any stage of the disciplinary procedure where appropriate (for example, in cases of communication breakdown or allegations of bullying or harassment).

Examples Of Misconduct

Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct: The list is not exhaustive.

- Unauthorised absence
- Poor timekeeping
- Misuse of the council's resources and facilities including telephone, email and internet
- Inappropriate behaviour
- Refusal to follow reasonable instructions
- Breach of health and safety rules.

Examples Of Gross Misconduct

Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct: The list is not exhaustive

- Bullying, discrimination and harassment
- Incapacity at work because of alcohol or drugs
- Violent behaviour
- Fraud or theft
- Gross negligence
- Gross insubordination
- Serious breaches of council policies and procedures e.g. The health and safety policy, equality and diversity policy, data protection policy and any policies regarding the use of information technology
- Serious and deliberate damage to property
- Use of the internet or email to access pornographic, obscene or offensive material
- Disclosure of confidential information.

Suspension

If allegations of gross misconduct or serious misconduct are made, the Council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is

merely a measure to enable further investigation. Suspension will be for no longer than necessary and will be confirmed in writing, including the reasons and expected duration.

During suspension:

- The employee must be available during normal working hours to respond to requests from the Council.
- The employee must not contact or attempt to influence any witness or other party connected with the investigation or discuss the matter with any other employee or councillor, unless authorised by the Council or required by law.
- The employee must not attend the workplace unless invited by the Council for the purposes of the investigation or disciplinary process.
- The Council will make arrangements for the employee to access any information or documents necessary to respond to the allegations.

Examples Of Unsatisfactory Work Performance

The following list contains some examples of unsatisfactory work performance.

The list is not exhaustive.

- Inadequate application of management instructions/office procedures
- Inadequate IT skills required for the role
- Unsatisfactory management of staff
- Unsatisfactory communication skills.
- Consistently failing to meet agreed performance targets or deadlines.
- Poor organisation or prioritisation of work.

The Procedure

Preliminary Enquiries

Where concerns about an employee's performance arise, the Council may make preliminary enquiries to establish the basic facts of the situation. This is to determine whether there may be a case to answer under the disciplinary procedure or whether the matter should be addressed through performance management.

Investigation

If there is an indication that the matter may warrant formal disciplinary action, the Council may initiate a more detailed investigation in line with the ACAS Code of Practice. The investigation will be conducted promptly, fairly, and by someone independent from the matter wherever possible. The purpose of the investigation is to gather relevant facts and evidence, including, where appropriate, statements from witnesses. The outcome of the investigation will determine whether formal disciplinary action is necessary.

Informal Action

Where concerns are minor or can be addressed without formal disciplinary proceedings, the employee's manager will meet with the employee to explain the issues and clarify the improvements required. This will usually involve setting clear

targets, offering support, and monitoring progress. A note of the discussion may be kept on file. Informal action does not form part of the formal disciplinary procedure.

If the required improvements are not achieved within a reasonable timeframe, or if further concerns arise, the matter may move to the formal stage of the disciplinary procedure, and the employee may be invited to a disciplinary hearing.

Disciplinary Investigation

A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer under the Council's disciplinary procedure

Where a formal investigation is required:

- The Council's staffing committee will appoint an Investigator to carry out a fact-finding exercise to gather all relevant information.
- The Investigator will be independent and normally a councillor with no prior involvement in the matter. If no councillor is sufficiently independent (for example, because all have direct involvement in the allegations), the staffing committee will appoint someone from outside the Council.
- The Investigator will be appointed as soon as possible after the allegations are made and will be provided with clear terms of reference.

The terms of reference will specify:

- The allegations or events that the investigation is required to examine
- Whether a recommendation is required
- How the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report
- Who the findings should be reported to and
- Who to contact for further direction if unexpected issues arise or advice is needed.

The Investigator will usually be asked to submit their findings usually within 20 working days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide that a formal investigation is not necessary and proceed directly to a disciplinary meeting.

The staffing committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation.

The employee will be given reasonable notice of the meeting of 5 working days with the Investigator so that they have time to prepare for it.

The letter will explain the investigation process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when they meet with the Investigator, they will have the opportunity to comment on the allegations of misconduct.

Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.

Where relevant and possible, the Investigator will seek information from other individuals (e.g., employees, councillors, members of the public, or contractors) before meeting with the employee. The Investigator does not have authority to take disciplinary action.

Their role is to:

- Establish the facts as promptly and objectively as possible.
- Prepare a report for the staffing committee containing findings and recommendations.

The Investigator's report will recommend one of the following:

- The employee has no case to answer and no further action should be taken under the disciplinary procedure.
- The matter is not serious enough to warrant formal disciplinary action and can be addressed informally.
- The employee has a case to answer and a formal disciplinary hearing should be convened.

The staffing committee will decide on the appropriate next steps based on the report.

If no disciplinary action is taken, the Council may consider whether mediation is appropriate in the circumstances.

Mediation

Mediation may be appropriate at any stage of the disciplinary procedure (for example where there have been communication breakdowns or allegations of bullying and harassment). Mediation is a confidential dispute resolution process that requires a council's and the employee's consent. The mediator is an independent person who helps individuals or groups try to find a solution.

Mediators do not make judgments or determine outcomes - they ask questions that help to uncover underlying problems, assist the parties to understand the issues and clarify the options for resolving their difference or dispute. See www.acas.org.uk

The Disciplinary Meeting

If the staffing committee decides that there is a case to answer, it will appoint a staffing sub-committee of 3 Councillors, to formally hear the allegations. The staffing sub-committee will appoint a Chair from one of its members.

The Investigator shall not sit on the sub-committee, and no councillor with any prior involvement in the matter shall be appointed.

The employee will be invited, in writing, to attend a disciplinary meeting. The letter will confirm the following:

- The names of its Chair and other two members
- Details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
- A copy of the information provided to the sub-committee which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure
- The time and place for the meeting. The employee will be given reasonable notice of 5 working days of the hearing so that they has sufficient time to prepare for it
- That witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least 5 working days before the meeting.
- That the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official

The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective.

It will be conducted as follows:

- The Chair will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing
- The Chair will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation)
- The Chair will invite the employee to present their account
- The employee (or the companion) will set out their case and present evidence (including any witnesses and/or witness statements)
- Any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness
- The employee (or companion) will have the opportunity to sum up

The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated.

The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within 5 working days of the meeting.

The Chairman will also notify the employee of the right to appeal the decision.

Disciplinary Action

If the sub-committee decides that there should be disciplinary action, it may be any of the following:

Oral warning

An oral warning is issued for most first instances of minor misconduct.

The Council will notify the employee:

- Of the reason for the warning, the improvement required (if appropriate) and the time period for improvement
- That further misconduct/failure to improve will result in more serious disciplinary action
- Of the right to appeal
- That a note confirming the oral warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for six months.

First written warning

If the employee's conduct has fallen beneath acceptable standards, or where there is no improvement after an oral warning, a first written warning will be issued.

A first written warning will set out:

- The reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- That further misconduct/failure to improve will result in more serious disciplinary action
- The employee's right of appeal
- That a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning.

A final written warning will set out:

- The reason for the final written warning, the improvement required (if appropriate) and the time period for improvement

- That further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
- The employee's right of appeal
- That a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time of 12 months.

Dismissal

The Council may dismiss:

- For gross misconduct
- If there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning
- If another instance of misconduct has occurred and a final written warning has already been issued and remains in force

Before dismissal, the Council will carefully consider all circumstances, including the employee's length of service, disciplinary record, and any mitigating factors.

If dismissed, the employee will receive written confirmation of:

- The reasons for dismissal.
- The date on which employment will end.
- The right to appeal.

If no disciplinary action is taken, no record of the matter will be kept on the personnel file.

Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The Appeal

An employee who is the subject of disciplinary action will be notified of the right of appeal. Their written notice of appeal must be received by the Council within 5 working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

The grounds for appeal include;

- A failure by the Council to follow its disciplinary policy
- The sub-committee's disciplinary decision was not supported by the evidence
- The disciplinary action was too severe in the circumstances of the case
- New evidence has come to light since the disciplinary meeting.

Where possible, the appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. This includes the

Investigator. There may be insufficient members of the staffing committee who have not previously been involved.

If so, the appeal panel will be a committee of 3 members of the Council who may include members of the staff committee. The appeal panel will appoint a Chair from one of its members. The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting.

The employee will be advised that they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

At the appeal meeting, the Chair will:

- Introduce the panel members to the employee
- Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
- Explain the action that the appeal panel may take.

The employee (or companion) will be asked to explain the grounds for appeal.

The Chair will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within 10 working days of the appeal hearing.

The panel may:

- Uphold the original decision.
- Impose a lesser sanction.
- Decide no disciplinary action is necessary.

If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.

The appeal panel's decision is final.

Redeployment

There may be circumstances in which it becomes clear that an employee would be better suited to a different role within the Council. However, any offer to redeploy the employee will be entirely at the Council's discretion and will only be made when the Council is

confident that the employee will be able to perform well in the redeployed role and where there is a suitable available vacancy.

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

5.2 Sickness Absence Procedure

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

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

Persistent short-term absence

Persistent short-term absence is where an employee is frequently absent from work for relatively short periods due to sickness. We understand most employees will have some short-term sickness absence from time to time. However, if you are frequently and persistently absent from work, this can damage efficiency and productivity and place an additional burden of work on your colleagues and councillors.

Therefore, it is essential that frequent absence is dealt with promptly and consistently and in some circumstances, the Council may begin a capability or disciplinary procedure as part of the absence management process. If we do so, we will meet with you to set attendance targets. Following a review meeting we may issue a formal warning if those targets are not met. You will be given written notice in advance of any formal meeting and you can be accompanied by a work colleague or trade union representative. You may appeal against a formal warning. If your absence remains unacceptable after a second formal warning, the council may bring your employment to an end following consultation with you.

If frequent absence is due to an underlying long-term health condition then we will also request, with consent, a medical report either from an Occupational Health Physician or your G.P. or consultant to establish further information about your health and how the council can support your attendance.

When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the council will not consider any pregnancy related absence. The council will also make adjustments where absences are related to a disability by allowing a higher level of absence before considering whether disciplinary action is appropriate.

The council will consider any alternative employment options before making any decision about ending employment. You will have the right to be accompanied by a work

colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction. The monitoring of absence operates on a rolling 52-week period.

Where it appears that there is no acceptable reason for an absence or if you have not followed the correct absence notification procedure, the matter should be treated as a conduct issue and dealt with under the disciplinary procedure.

Long-term absence

As a guide, long term absence is any absence which lasts or is expected to last over 4 weeks. In all cases of long-term absence, it is essential for the Council to maintain contact with you. In cases where the return date is less certain this will take the form of consultation and will include:

- Discussions at the start of the absence and periodically throughout
- Obtaining better information on your health and likely prognosis, ideally through an Occupational Health Physician
- Where appropriate alerting you to the fact that your absence is becoming a problem, and
- Allowing you the opportunity to state your opinion of your condition and giving consideration to that opinion

Where ill-health means that you are unlikely to return to work for a long period of time, the council may need to consider bringing your employment to an end. In these circumstances, the council will:

- Review your absence record to assess whether or not it is sufficient to justify dismissal
- Consult with you
- Obtain up-to-date medical advice
- Advise you in writing as soon as it is established that termination of employment has become a possibility
- Assist you with signposting to access benefits from the Local Government Pension Scheme (where appropriate)
- Meet with you to discuss the options and consider your views on continuing employment before any decisions are made, allowing you to be accompanied by a work colleague or trade union representative
- Review if there are any alternative jobs that you could do prior to taking any decision on whether or not to dismiss
- Allow a right of appeal against any decision to dismiss you on grounds of long-term ill health
- Following this meeting, inform you of the final decision

Absence as a result of disability

Where you experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010 (formerly as part of the Disability Discrimination Act 1995). This will include considering whether any reasonable adjustments can be made.

Medical advice

The Council may want to obtain advice on your fitness for work from occupational health advisers or medical practitioners. Examples of when the Council might refer to occupational health or a medical practitioner include the following:

- To seek a medical report on your illness or injury;
- To establish when you might be able to return to work;
- To understand when you are likely to be fully fit to resume your normal duties;
- To understand what alternative duties you might be fit to undertake if you are unfit to resume your normal duties;
- To understand when you are likely to be fit to undertake any alternative duties;
- To ask for guidance on your condition, for example if there is a possibility that you are disabled or ambiguity as to the exact nature of the condition;
- To ask what reasonable adjustments could be made to working conditions or premises to facilitate a return to work;
- To understand the likely recurrence of the illness or injury once you have returned to work; and
- To discuss any adjustments that could be made to accommodate your disability, if you are disabled.

The Council will pay the cost of the report and you will have the right to see it. The Council will also be provided with a copy of the report and once we have seen it, we will want to meet you to discuss the findings and consider options available to you.

If you choose not to consent to an Occupational Health referral, any decisions in relation to your employment may be made without the benefit of access to medical reports.

For long or frequent periods of absence employees may be referred to a General Practitioner (GP), appointed by the Council, to conduct a medical examination. In addition, the employee's GP., Consultant or Specialist may be contacted by the GP appointed by the Council and asked to supply a report on the individual's state of health and/or to provide direct access to medical records. This requires the employee's written permission.

Your right to be accompanied

You have the right to be accompanied by a colleague or a trade union representative at any formal meeting called under this procedure, including the appeal meeting. You should tell us as soon as possible who will accompany you and it is your responsibility to arrange for them to attend. If you choose a work colleague, we will not prevent them from attending, but we may rearrange the meeting if their absence from work could cause operational problems.

Your colleague or union representative can, explain the key points of your case to the meeting and can respond on your behalf. You can also confer with them during the meetings, however, they must not answer questions put directly to you or try to prevent us asking questions or outlining our arguments.

5.3 Grievance Procedure

This sets out the procedure for employees of the Council to raise concerns, problems, or complaints relating to their employment. The aim is to ensure that any grievance is dealt with promptly, fairly, and consistently. It also takes into account relevant law affecting Councils. The policy will be applied in accordance with the Equality Act 2010.

It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.

This procedure confirms:

- Employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative, or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider, or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for their grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes, or prevent the employee from explaining their case.
- The Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within 5 working days of the original meeting date unless it is unreasonable not to propose a later date
- Any changes to specified time limits must be agreed by the employee and the Council
- An employee has the right to appeal against the decision about their grievance. The appeal decision is final
- Information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- Audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- If an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure

- If a grievance is not upheld, no disciplinary action will be taken against an employee if they raised the grievance in good faith
- Employees can only use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a Councillor. Employees can use the informal stage of the Council's grievance procedure to deal with all grievance issues, including a complaint about a Councillor. Employees cannot use the formal stages of the Council's grievance procedure for a Code of Conduct complaint about a Councillor.
- If the complaint about the Councillor is not resolved at the informal stage, the employee can contact The Monitoring Officer at Tonbridge & Malling Borough Council, who will inform the employee whether the complaint can be dealt with under the Code of Conduct. If it does not concern the Code of Conduct, the employee can make a formal complaint under the Council's grievance procedure.
- The Council may engage external investigators, grievance, or appeal panels for the purposes of the process.
- If the grievance is a Code of Conduct complaint against a Councillor, the employee cannot proceed with it beyond the informal stage of the Council's grievance procedure. However, whatever the complaint, the Council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and Councillors are properly trained and by protecting staff from bullying, harassment, and all forms of discrimination
- If an employee considers that the grievance concerns their safety within the working environment, whether it also concerns a complaint against a Councillor, the employee should raise these safety concerns with their line manager at the informal stage of the grievance procedure. The Council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime.
- The Council may consider mediation at any stage of the grievance procedure where appropriate, (for example, where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties

Informal Grievance Procedure

The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with their manager to see if an informal solution is possible. Both the employee and the manager should make every effort to resolve the matter at this stage. If the employee does not wish to discuss the grievance with their manager (for example, because it concerns the manager), they should contact the Chair of the Staffing Committee or, if appropriate, another member of the Staffing Committee. If the employee's complaint is about a

Councillor, it may be appropriate to involve that Councillor at the informal stage. This will require the consent of both the employee and the Councillor.

Formal Grievance Procedure

If it is not possible to resolve the grievance informally, and the employee's complaint is not one that should be dealt with as a Code of Conduct complaint (see above), the employee may submit a formal grievance. The grievance should be submitted in writing to the Chairman of the Staffing Committee or another Councillor of the Staffing Committee if the Grievance relates to the Chair or Vice Chair of Staffing Committee. Where the grievance is raised by or relates to the Clerk, the Staffing Committee will appoint a sub-committee of three members to hear the grievance. Where the grievance is not raised by or related to the Clerk, the Staffing Committee may appoint the Clerk to hear the grievance. The sub-committee will appoint a Chairman from among its members. No Councillor with direct involvement in the matter will be appointed to the sub-committee.

Investigation

If the sub-committee decides that it is appropriate (for example, if the grievance is complex), it may appoint an investigator to establish the facts before the grievance meeting. The investigator may be an appropriate employee, a Councillor, or an external party. The investigation may include interviews with relevant parties (for example, the employee submitting the grievance, other employees, Councillors, or members of the public). The investigator will summarise their findings, usually in an investigation report, and present them to the sub-committee.

Notification

Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting.

The written notification will include the following:

- The names of its Chair and other members
- The date, time, and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 25 working days of when the Council received the grievance
- The employee's right to be accompanied by a workplace colleague, a trade union representative, or a trade union official
- A summary of the employee's grievance based on their written submission
- A copy of the Council's grievance policy

- Confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of their witnesses as soon as possible before the meeting
- Confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least 2 working days' notice
- Findings of the investigation if there has been an investigation
- An invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The Grievance Meeting

At the grievance meeting:

- The Chairman will introduce the members of the sub-committee to the employee
- The employee (or companion) will set out the grievance and present the evidence
- The Chairman will ask the employee questions about the information presented and will want to understand what action they want the Council to take
- Any member of the sub-committee and the employee (or the companion) may question any witness
- The employee (or companion) will have the opportunity to sum up the case
- A grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

The Outcome

The Chairman will provide the employee with the sub-committee's decision, in writing, usually within 5 working days of the meeting though may be longer e.g., where further investigations are required. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The Appeal

If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the staffing committee. An appeal must be received by the Council within 5 working days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.

Appeals may be raised on a number of grounds, e.g.:

- A failure by the Council to follow its grievance policy
- The decision was not supported by the evidence
- The action proposed by the sub-committee was inadequate/inappropriate
- New evidence has come to light since the grievance meeting.

The appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case.

There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include members of the staffing committee. The Council may engage external parties if there are insufficient Councillors to form the panel. The appeal panel will appoint a Chairman from one of its members.

The employee will be notified, in writing, usually within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 20 working days of the Council's receipt of the appeal. The employee will be advised that they may be accompanied by a workplace colleague, a trade union representative, or a trade union official.

At the appeal meeting, the Chairman will:

- Introduce the panel members to the employee
- Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
- Explain the action that the appeal panel may take.

The employee (or companion) will be asked to explain the grounds of appeal. The Chair will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within 10 working days of the appeal hearing.

The panel may uphold the original decision or substitute its own decision. The appeal panel's decision is final.

Mediation

Mediation may be appropriate at any stage of the grievance procedure (for example where there have been communication breakdowns or allegations of bullying and harassment). Mediation is a confidential dispute resolution process that requires a council's and the employee's consent. The mediator is an independent person who helps individuals or groups try to find a solution.

Mediators do not make judgments or determine outcomes - they ask questions that help to uncover underlying problems, assist the parties to understand the issues and clarify the options for resolving their difference or dispute. See www.acas.org.uk

5.4 Redundancy Policy

About this policy

We will always try to avoid the need for compulsory redundancies but sometimes these may be necessary. The pattern or volume of our business or methods of working may change and requirements for employees may reduce.

The purpose of this policy is to ensure that, whenever reduction in employee numbers may become necessary:

- a. we communicate clearly with all affected employees and ensure that they are treated fairly;
- b. we try to find ways of avoiding compulsory redundancies;
- c. we consult with employees (and where appropriate with recognised trade unions and / or employee representatives); and
- d. any selection for compulsory redundancy is undertaken fairly, reasonably and without discrimination.

This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

Avoiding compulsory redundancies

Where we are proposing to make redundancies we will enter into consultation with all affected employees on an individual basis and, where appropriate, also with recognised trade unions and / or employee representatives.

In the first instance we will consider steps that might, depending on the circumstances, be taken to avoid the need for compulsory redundancies. Examples of such steps include:

- a. Reviewing the use of agency staff, self-employed contractors and consultants.
- b. Restricting recruitment in affected categories of employee and in those areas into which affected employees might be redeployed.
- c. Reducing overtime in affected departments to that needed to meet contractual commitments or provide essential services.
- d. Freezing salaries for a specified period.
- e. Considering the introduction of short-time working, job-sharing or other flexible working arrangements, where these are practicable.
- f. Identifying suitable alternative work with the Council that might be offered to potentially redundant employees.
- g. Inviting applications for early retirement or voluntary redundancy. In all cases the acceptance of a volunteer for redundancy will be a matter of our discretion and we reserve the right not to offer voluntary redundancy terms or to refuse an application where it is not in the interests of our business to do so.

Any measures adopted must not adversely affect our operations.

Making compulsory redundancies

When it is not possible to avoid making compulsory redundancies, we will advise all affected employees and, where appropriate, recognised trade unions and / or employee representatives that compulsory redundancies cannot be avoided and on the procedure that will then be followed and the criteria that will be applied.

In carrying out any redundancy exercise we will not discriminate directly or indirectly on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief,

disability or age. Part-time employees and those working under fixed-term contracts will not be treated differently to permanent, full-time comparators.

The criteria used to select those employees who will potentially be made redundant will be objective, transparent and fair and based on the skills required to meet our existing and anticipated business needs.

We will then consult individually with those employees who have been provisionally selected for redundancy.

Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contracts and written confirmation of the payments that they will receive. Employees will be given the opportunity to appeal against this decision.

We will continue to look for alternative employment for redundant employees until their termination dates. The manner in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Alternative employment may be offered subject to a trial period where appropriate.

6 EQUAL OPPORTUNITIES, DIVERSITY & INCLUSION

6.1 Equal Opportunities Statement

We are committed to encouraging equality, diversity and inclusion among our workforce, The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

We are fully committed to:

- Treating all of our employees and job applicants equally in all aspects of employment including: recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.
- Creating a working environment that is free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
- Training managers and all other employees about their rights and responsibilities under this equal opportunities, diversity & inclusion policy.
- Employing, training and promoting employees on the basis of their experience, abilities and qualifications, without regard to race, religion or belief, sex, sexual orientation, pregnancy or maternity, gender reassignment, age, marriage and civil partnership or disability. In this policy these are known as the "Protected Characteristics".
- Making opportunities for training, development and progress available to all employees, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the Council.
- Complying with our obligations under the Equality Act 2010 in respect of our Public Sector Equality Duties to:
 - Have 'due regard' to the need to eliminate discrimination, harassment and victimisation
 - Have 'due regard' to the need to advance equality of opportunity
 - Have 'due regard' to the need to foster good relations
 - Publish equality information
 - Publish equality objectives.

We will not condone any form of bullying, harassment, or unlawful discrimination whether engaged in by employees or by outside third parties who do business with us, such as clients, customers, contractors and suppliers.

Employees have a duty to co-operate with us to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under our Disciplinary Procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal.

All employees should understand they, as well as the Council, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.

Your Responsibilities

Every employee is required to assist the Council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the Council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

You should draw to the attention of the Clerk any suspected discriminatory acts or practices or suspected cases of harassment. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as potential gross misconduct. Employees should support colleagues who suffer such treatment and are making a complaint.

Discrimination

You must not unlawfully discriminate against or harass other people, including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

Our Commitment

Recruitment

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant abilities and qualifications. We are committed to applying our equal opportunities policy statement at all stages of recruitment and selection.

Training, transfer and promotion

We will take such measures as may be necessary to ensure the proper training, supervision and instruction for all line managers in order to familiarise them with our policy on equal opportunities, and in order to help them identify discriminatory acts or practices and to ensure that they promote equal opportunity within the departments for which they are responsible.

Working practices

The Council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Council considers it has good reasons, unrelated to any protected characteristic, for doing so.

The Council will comply with its obligations in relation to statutory requests for contract variations. The Council will also make reasonable adjustments to its standard working practices to overcome barriers caused by

disability.

Equal opportunities monitoring

The Council will monitor the ethnic, sex/gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The Council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in the Council's privacy notices.

Terms of employment, benefits, facilities and services

All terms of employment, benefits, facilities and service will be reviewed from time to time, in order to ensure that there is no unlawful discrimination on the grounds of one or more of the Protected Characteristics.

Equal pay and equality of terms

We are committed to equal pay in employment. We believe all employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, we will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

Disabilities

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact the Clerk to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Clerk may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

People Not Employed by the Council

The Council will not discriminate unlawfully against those using or seeking to use the services provided by the council. You should report any bullying or harassment by suppliers, visitors or others to the Council who will take appropriate action.

6.2 Menopause Policy

We are committed to supporting employees affected by the menopause. We recognise that many members of employees will experience the menopause and that, for some, menopause will have an adverse impact on their working lives.

All women will experience menopause at some point during their life. Menopause can also impact trans and non-binary people who may not identify as female. Most of those who experience menopause will do so between the ages of 45 and 55. However, some start experiencing symptoms much earlier. Often, symptoms last between four to eight years, but they can continue for longer.

The majority of those going through menopause will experience some symptoms, although everyone is different and symptoms can fluctuate. Symptoms can include, but are not limited to, sleeplessness, hot flushes, memory loss or poor concentration, headaches, muscle and joint pains, depression and anxiety.

Menopause is preceded by perimenopause, during which the body prepares itself for menopause. Perimenopause can also last several years and can involve similar symptoms to menopause itself. For the purpose of this policy, any reference to menopause includes perimenopause.

Open Conversations

Menopause is not just an issue for women. All staff should be aware of menopause so that they can support those experiencing it or otherwise affected by it.

We encourage an environment in which colleagues can have open conversations about menopause. We expect all staff to be supportive of colleagues who may be affected by menopause in the workplace.

Anyone affected by menopause should feel confident to talk to the Clerk or Staffing Committee about their symptoms and the support they may need to reduce the difficulties menopause can cause them at work.

The Clerk and Staffing Committee should be ready to have open conversations with staff about menopause and what support is available. These conversations should be treated sensitively and any information provided should be handled confidentially and in accordance with our Data Protection Policy.

Risk Assessments

We are committed to ensuring the health and safety of all our employees and will consider any aspects of the working environment that may worsen menopausal symptoms. This may include identifying and addressing specific risks to the health and well-being of those experiencing menopause.

Support and Adjustments

While many who experience menopause are able to carry on their working lives as normal, we recognise that others may benefit from adjustments to their working conditions to mitigate the impact of menopause symptoms on their work. If you believe that you would benefit from adjustments or other support, you should speak to your line manager or the Clerk.

Physical adjustments could include temperature control, provision of electric fans or access to rest facilities. Depending on individual and business needs, adjustments such as flexible working, we may also consider more frequent rest breaks or changes to work allocation. These are examples only and not an exhaustive list.

We may refer you to a doctor nominated by us or seek medical advice from your GP to better understand any adjustments and other support that may help alleviate symptoms affecting you at work.

6.3 Bullying, Harassment & Dignity at Work

All staff should be able to work in an environment free from harassment and bullying and be treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability.

This policy and procedure provide guidance on what to do if you are concerned about bullying or harassment and what to expect if you raise concerns. It applies to all staff (whether permanent, fixed term, or casual), contractors and agency staff.

The Council is committed to creating a working environment where all Council employees, Councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying.

This policy covers bullying and harassment of and by clerks/chief officers and all employees engaged to work at Aylesford Parish Council. Should agency staff, or contractors have a complaint connected to their engagement with Aylesford Parish Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the Council the complaint should be raised to the Vice Chair / Council's staffing committee.

Agency staff, or contractors are equally expected to treat Council colleagues, and other representatives and stakeholders with dignity and respect, and the Council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the Council's grievance policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, Councillor), however, the Council will take appropriate action if any of its employees are bullied or harassed by employees, Councillors, members of the public, suppliers or contractors.

The Council does not tolerate bullying or harassment in the workplace. This is the case for work-related events that take place within or outside of normal working hours; on Council property or elsewhere; whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

The Council does not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the Council to treat each other with respect and uphold the values of the Code of Conduct and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

The Council will take appropriate action if any of our staff are bullied or harassed by staff, Councillors, members of the public or suppliers.

What Type Of Treatment Amounts To Bullying Or Harassment?

Bullying is offensive, intimidating, threatening, malicious or insulting behaviour, and/or an abuse or misuse of power that undermines, humiliates or injures the person on the receiving end.

Harassment is unwanted conduct related to relevant 'protected characteristics', which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Harassment amounts to unlawful discrimination if it relates to a 'protected characteristic'.

The use of the word 'harassment' throughout this policy includes sexual harassment.

Sexual harassment is a form of unlawful harassment (as defined above) which entails unwanted conduct of a sexual nature. A person of any gender can be a victim of sexual harassment, and it may be committed by a person of any gender.

Third party harassment and discrimination refers to the harassment and/or discrimination of an employee or worker that is carried out by someone who is not an employee or worker and may include:

- Customers or clients
- Suppliers and
- Independent contractors and consultants.

Examples of bullying and harassment include:

- **Unwanted physical conduct** - such as unnecessary touching, patting, pinching, brushing against another person's body; insulting behaviour or obscene gestures; physical threats, aggressive behaviour and/or assault.
- **Unwanted verbal conduct** - such as unwelcome advances; patronising titles or nicknames; offensive or insulting comments; propositions or remarks; innuendo; lewd or suggestive comments; over-familiar behaviour; slogans or songs; insensitive jokes, gossip and slander (including speculation about a person's private life and sexual activities); banter or abusive/offensive language which is either threatening or refers to

a person's sex/gender, race (including colour and ethnic or national origins), disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity or gender reassignment.

- **Unwanted non-verbal conduct** - such as racially or sexually based graffiti or graffiti referring to an individual's characteristics or private life; abusive or offensive gestures; leering, whistling, creation, distribution or display of suggestive or offensive pictures, objects or written materials (including "pin-up" calendars) or videos through any means.
- **Bullying** - includes unwanted physical contact or assault but also verbal bullying such as insulting or threatening comments; comments intended to undermine, belittle, embarrass or humiliate the recipient; personal abuse, either in public or private, which humiliates or demeans the individual involved.
- **Virtual bullying** - includes distribution of unwanted emails, texts, images or humiliating data published on social networking internet sites or abusing our technology or using the employee's own technology to contact a colleague in an intimidating or malicious manner.
- **Conduct of a sexual nature** – includes unwanted physical, verbal and non-verbal conduct as discussed above; further examples include displaying pornographic or explicit images, indecent exposure, e-mails with sexual content, sexual innuendo, sexual solicitation, sexual assault; see also, coercion.
- **Coercion** - including threats of dismissal or loss of promotion etc for refusal of sexual (or other) favours (or promises made in return for sexual or other favours); pressure to participate in political or religious groups etc.
- **Isolation or non-co-operation at work** - deliberate exclusion from communications including group emails, conversations or social activities; setting unrealistic deadlines; substituting responsible tasks with menial or trivial ones; withholding information or giving false information; constantly undervaluing effort.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

Bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

Sexual Harassment

Sexual harassment is unlawful and will not be tolerated. Complaints resulting in the finding of sexual harassment having taken place will be subject to disciplinary action, up to and including summary dismissal (without notice). Or in the case of a worker, their engagement with us may be terminated.

- Sexual harassment can include, but not limited to:
- Unwanted physical, verbal and non-verbal conduct of a sexual nature
- Displaying pornographic or explicit images

- Indecent exposure
- Using e-mail or social media to make inappropriate, derogatory or offensive content that is of a sexual nature, which can include sexual innuendos, sexual solicitation, sexual assault. This can include sharing, posting, liking or tagging someone in a post
- Unwanted physical, verbal and non-verbal conduct of a sexual nature that is towards another person, such as a colleague, customer, client, suppliers, contractors or any other third party associated with us

Examples of situations involving sexual harassment:

- A male colleague alters a pornographic image by placing an image of their female colleague's face onto it. He then sends it to other colleagues causing them to ridicule her.
- An employee has a sexual relationship with their supervisor. They then end their relationship as they think it was a mistake. The next day, the supervisor grabs the employee's bottom and says, "come on, don't play hard to get".
- Male workers download pornographic images onto their computers in an office where a woman works. She finds out about the images being downloaded and that the images are creating a hostile and humiliating environment for her.
- During a busy dinner service, one member of the waitressing team is helping in the kitchen to prepare orders. The chef makes inappropriate comments of a sexual nature about her appearance and makes advances towards her that include touching her back and shoulder whilst passing by or reaching for items.

Employees and workers should be aware that individuals may be held personally liable for their own acts and behaviour.

Third party harassment and discrimination

Third party harassment and discrimination refers to harassment and/or discrimination of an employee or worker, that is carried out by someone who is not.

Third party harassers and discriminators may include:

- Customers or clients
- Suppliers and
- Independent contractors and consultants.

Third party harassment will not be tolerated, and we take reasonable steps to prevent it from occurring.

This includes:

- Warning notices to our service users
- Having a recorded message at the beginning of telephone calls
- Information in terms and conditions
- Providing regular training for managers and staff to raise awareness of rights related to sexual harassment and of this policy

- Provide specific training for managers to support them in dealing with complaints
- Take steps to minimise occasions where staff work alone
- Where possible, ensure lone workers have additional support
- Carry out a risk assessment when planning events attended by clients/customers and/or suppliers

Any employee or worker who believes that they have been the victim of third-party harassment and/or discrimination should immediately report the incident to their manager. In the case of an agency worker, they should immediately report it to both their temporary recruiting agency and to their point of contact within our organisation.

Where an employee or worker has been harassed and/or discriminated against by a third party, we will take reasonable steps to prevent any recurrence.

The options may include:

- Issuing a warning about their behaviour
 - Banning another type of 3rd party
 - Reporting criminal acts to the police
 - Sharing information with other branches of our organisation
- If an employee harasses and/or discriminates against a, supplier or an independent contractor or consultant the employee will be subject to disciplinary action. In the case of a worker, may have their agreement terminated.

Examples of third party harassment and/or discrimination

- A young member of the bar staff is subjected to sexually offensive terms by a customer.
- In a retail store, an employee faces repeated harassment from a regular customer. The customer makes inappropriate comments about the employee's appearance and personal life and sometimes behaves in a rude or aggressive manner. Despite the employee's attempts to handle the situation politely and report the behaviour, the harassment continues, causing significant stress and discomfort.

Victimisation

Victimisation is when someone is treated less favourably because they have committed, or it is believed they may commit a "protected act". "Protected acts" include bringing legal proceedings relating to harassment or discrimination against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making complaints about the perpetrator or the employer about their alleged discriminatory and unlawful practices, etc.

We encourage employees and workers to challenge or raise incidents of unacceptable behaviour should they witness or experience it directly. Disciplinary action, including summary dismissal, without notice, may be taken against an employee who is found

guilty of victimisation. In the case of a worker being found guilty of victimisation, their terms and conditions of engagement may be terminated with immediate effect.

Examples of victimisation

- A casual worker gives a witness statement as part of a grievance and disciplinary process that supports a colleague's claim of sexual harassment. As a result, the Clerk/Supervisor fails to provide them with any further work.
- An employee files a complaint about racial discrimination by their manager. After raising the complaint, the employee's performance reviews become increasingly negative, even though their performance has not changed. The unfair reviews are used as a basis for denying them a promotion.

Risk assessment

We will identify and assess the risks associated to bullying and harassment and identify reasonable measures to prevent it from occurring. The findings will be recorded in writing, and we will keep our assessment under continuous review.

A copy of the risk assessment can be found in the Parish Office/obtained from the Clerk and can be supplied to employees, workers, or third parties as requested.

We encourage all employees and workers to inform their manager of areas in which they believe harassment protection could be further improved.

We also consider risks relating to bullying and harassment in our other organisational risk assessments, including our risk assessments for [tailor as appropriate: young workers / lone workers / off site working / working with 3rd parties].

Employees should not go alone to visit clients in their own homes unless the client is well known to them, or us and a risk assessment has been undertaken. Information on the name and address to be visited and estimated time of return must be given to the appropriate manager when home visits are arranged.

Reporting concerns

What you should do if you witness an incident you believe to be harassment or bullying

If you witness such behaviour you should report the incident in confidence to the Clerk or a Councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you feel you are being Bullied or Harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Clerk or a Councillor in the first instance. They will then decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being Bullied or Harassed by a Councillor

If you are being bullied or harassed by a Councillor, please raise this with the Clerk or the Chair of the Council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.

What you should do if you are being Bullied or Harassed by another member of staff

If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

Informal resolution

If you are being bullied or harassed you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop.

Alternatively, you may wish to ask the Clerk, a colleague or another Councillor to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own manager, you should raise the issue with the Chair of the Council. The Chair (or another appropriate individual) will discuss with you the option of trying to resolve the situation informally by:

- Telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a member of staff;
- That such behaviour is contrary to our policy;
- That for employees, the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible to have the conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party to facilitate a resolution of the problem. The Chair will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a

serious allegation of harassment or in cases where a problem has happened before) the Council may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the Clerk or the Chair of the Council, if the behaviour was not from a Councillor (if it was please see raise to the Monitoring Officer). A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The Clerk or the Chair of the Council will appoint someone to investigate your complaint.

You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred
- The names of any witnesses and
- Any action taken by you to resolve the matter informally

... against a colleague or contractor

The alleged perpetrator(s) would need to be told your name and the details of your complaint for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

... against a member of the public or supplier

We will investigate the complaint as far as possible by contacting the member of public or the supplier's employer and asking for a response to the allegations.

... against a Councillor

Formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.

During the investigation

Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee, then the employee may be subject to disciplinary action, up to and including dismissal.

The Council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to better understand your complaint. Whilst there is no Statutory right to be accompanied at investigation meetings, the Investigator will consider your request if you want to have a work colleague or union representative with you at that meeting.

Hearing

After the investigation, a panel will meet with you in a Grievance Hearing (following the Grievance Procedure) to consider the complaint and the findings of the investigation. At the meeting you may be accompanied by a fellow worker or a trade union official.

After the meeting the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the Grievance Procedure.

Victimisation

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False allegations

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

Disclosure and confidentiality

We will treat personal data collected during this process in accordance with the data protection policy. Information about how data is used and the basis for processing data is provided in the employee privacy notice.

Use of the disciplinary procedure

Harassment and bullying constitute serious misconduct. If, at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary

offence might have been committed, we will instigate our disciplinary procedure. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.

Protection and support for those involved

Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

We will review this policy regularly and monitor its effectiveness. This will include monitoring the treatment and outcomes of any complaints of harassment, sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed.

Support and guidance can also be obtained from the following external services:

- a. The Equality Advisory and Support Service (www.equalityadvisoryservice.com).
- b. Protect (www.protect-advice.org.uk).
- c. Victim support (www.victimsupport.org.uk).
- d. Rights of women (England and Wales) (www.rightsofwomen.org.uk).

Record-keeping

Information about a complaint by or about a staff member may be placed on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

6.4 Policy for Dealing with Habitual or Vexatious Complaints

This policy identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be 'habitual or vexatious' and ways of responding to these situations. The Council will take action to protect staff, councillors and/or volunteers from any such vexatious behaviour.

Dealing with a complaint is usually straightforward, but in the minority of cases, people pursue their complaints in a way which can either impede the investigation or can have significant resource implications for the Council.

This policy shall not be used to stifle reasonable or legitimate complaints, criticism or concerns raised by members of the public. All complaints will be considered on their merits before any designation of habitual or vexatious is applied.

Definitions

In this policy, the term Habitual means 'done repeatedly or as a habit' (unreasonably persistent).

The term Vexatious is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. In the Parish Council context, it means acting to cause annoyance to the Council, individual members of the Council, members of staff, or of a discriminatory nature *e.g., misogynistic, racist, or otherwise unlawful under the Equality Act 2010*.

Definition of a Habitual (Unreasonably Persistent) or Vexatious Complainant

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows that they meet one of the following criteria:

1. Persist in pursuing a complaint where the Council's Complaints Procedure has been fully and properly implemented and exhausted.
2. Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response, whilst the complaint is being addressed.
3. Are repeatedly unwilling to accept documentary evidence given as being factual or deny receipt of an adequate response despite correspondence specifically answering their questions, or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
4. Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
5. Regularly focus on a trivial matter (e.g., on a matter deemed minor in context, based on the Council's reasonable judgement) to an extent which is out of proportion to its significance and continue to focus on this point.
6. Have, during addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on staff or members. This may be quantifiable (e.g. more than 5 contacts in a week on the same issue) or qualifiable. Based on the Council's reasonable judgement.
7. Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff or members dealing with the complaint. These will be documented.
8. Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.

9. Make unreasonable demands on the customer/Council relationship and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Council's Complaints Procedure or normal recognised practice.

The Council will ensure that any behaviour arising from a disability, language barrier, or protected characteristic will be considered carefully before classifying someone as vexatious. Reasonable adjustments will be made in line with the Equality Act 2010.

Procedures for Dealing with Habitual or Vexatious Complainants

If a complainant has threatened or used physical violence towards staff or members at any time, this will cause personal contact with the complainant and/or their representatives to be discontinued, and the complaint will thereafter only be continued through written communication. All such instances will be documented.

Courses of Action

Where complainants have been identified as habitual or vexatious in accordance with the criteria above, the Clerk, in consultation with the Chairman and Vice Chairman of the Council, will take one or more of the following actions:

1. The complainant will be notified in writing why their complaint has been classified as vexatious. They will be advised of the Parish Council's normal complaints procedure and what steps to follow if that is appropriate.
2. The complainant will be notified, in writing, that the Council has responded fully to the points raised and has tried to resolve the complaint but that there is nothing more to add. The complainant will also be advised that continuing contact on the matter will serve no useful purpose and that further correspondence will not be responded to.
3. The Council may decline further contact with the complainant, either in person, by telephone, by letter, e-mail, or any other means.
4. The complainant will be informed that the Council may seek legal advice regarding unreasonable or vexatious complaints.
5. The Council may suspend all contact with the complainant about the issues relating to the complaint while seeking legal or professional advice.
6. The Clerk and the Chairman of the Council may invite the complainant to meet with them to discuss the matter.
7. The complainant will be notified of the contact details of the Local Government Ombudsman and advised they may pursue the matter through that office
8. In cases where the Council considers the behaviour to be problematic but not abusive, the complainant may be directed to a single point of contact within the Council and communication may be limited to a set frequency (e.g., once per month), depending on the circumstances.

Review and Appeal Process

Appeals

A complainant classified as vexatious may appeal this decision in writing within 20 working days. The appeal will be reviewed by a panel of at least three councillors not involved in the original complaint. The outcome will be communicated within a reasonable timeframe.

Review of Status

Once a complainant has been determined to be habitual and/or vexatious, their status will be kept under review. The designation shall be reviewed no later than 12 months after the initial decision. If the individual demonstrates a more reasonable approach, their status may be withdrawn and normal channels of communication resumed.

6.5 Monitoring equal opportunities and dignity at work

We will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices. If changes are required, we will implement them. We will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Breaches of this Policy

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or Bullying & Harassment Procedure. Complaints will be treated in confidence and investigated as appropriate.

You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately will be treated as misconduct and dealt with under our Disciplinary Procedure.

Related Policies

This policy is supported by the following other policies and procedures (in the Employee Handbook):

- (a) Grievance Procedure.
- (b) Disciplinary Procedure.
- (c) Flexible Working Procedure.
- (d) Maternity, Paternity, Adoption and Shared Parental Leave Policies.
- (e) Parental Leave Policy.
- (f) Time Off for Dependants Policy.
- (g) Data Protection Policy.
- (h) Anti-Bullying and Harassment Policy.
- (i) Sickness Absence Policy and Special Leave Policy.

EMPLOYEE HANDBOOK RECEIPT

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

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

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

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

Received by (Employee)

Signed

Date