

APPENDIX B



**GORING-ON-THAMES
PARISH COUNCIL**

Employee Handbook

March 2021

This is the Employee Handbook for
Goring-on-Thames Parish Council, Old Jubilee Fire Station,
Red Cross Road, Goring on Thames, Reading, RG8 9HG,
hereinafter referred to as the "Council".

Please note that the electronic version of this handbook is the most up to date version
and supersedes any print versions of the handbook.

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1 PAY POLICY

GENERAL POLICY

Our aim is to be a fair and supportive employer, and to provide equality of opportunity. The pay policy will be kept under review, and changes may be made to reflect good practice, legislation, recruitment and retention, and external pay information. We seek to provide a pay policy that enables us to attract and retain our staff.

Entirely at our discretion, your pay will be reviewed annually. We are under no obligation to award an increase following a pay review. Any awards made will be based on the Council's and individual performance. Local, regional and industry pay levels may be used to assist with the decision making, as well as our ability to fund any improvements. Any increase awarded in one year will not create any right or entitlement or set any precedent in relation to subsequent years. There will be no review of your pay after notice has been given by either party to terminate your employment.

PAY

Salaries are paid as detailed in your contract with a payslip fully detailing how the pay is made up and statutory deductions made at source. Salaries are paid by direct transfer to your nominated Bank account.

The Council will take into account the benchmark range in scale as set out by the National Joint Council for Local Government Services (NJC) as updated and reported by the NALC each year.

OVERPAYMENT

The Employment Rights Act 1996, Part II allows the Council to make deductions including:

- Deductions authorised by Statute e.g. PAYE/tax owing to the Inland Revenue, and national insurance contributions as required by law, or payments required by a court of law e.g. maintenance payments, fines.
- Any deductions authorised by a clause in the employment contract or related documents.
- Any other area to which the employee has previously agreed that a deduction may be made.
- To reclaim an overpayment if this is attributable to an error of computation.
- In respect of any other overpayment of wages and/or expenses, particularly where this was caused by a failure of the employee to provide correct information or provide it in a timely manner.

In the event of overpayment, payroll will notify you and discuss the method of repayment and period.

DEDUCTIONS FOR CASH SHORTAGES

The Council shall be entitled to deduct from any payment of wages which it may be due

to make to you a sum up to a maximum amount of 10% of your gross wages payable to you in a particular pay period in respect of your sole or joint liability for any cash shortages or stock deficiencies which have come to the Council's attention in the previous twelve months, provided that the Council has first notified you in writing of your total liability for that shortfall or deficiency and has made a written demand for payment on your payday.

The maximum amount of 10% of your gross wages does not apply to any deductions which may be made from your final payment of wages in respect of cash shortages or stock deficiencies.

Any amount deducted under this clause is a genuine attempt by the Council to assess its loss and is not intended to act as a penalty.

2 HOLIDAY ENTITLEMENT

The holiday year runs from 1 April to 31 March.

Your annual holiday entitlement in any holiday year is detailed in your contract.

Provisions must be made for the Christmas and New Year holiday period – other than national holidays – out of this entitlement. This is usually 3 working days (see holiday request form for exact dates).

Annual holiday entitlement accrues at the rate of one twelfth of the full annual entitlement for each complete calendar month of service during each holiday year.

Part-time employees annual holiday entitlement accrues on a pro-rata basis.

Annual holiday entitlement accrues and should only be taken on a pro-rata basis during the probationary period.

In the event of termination of your employment, you will be entitled to be paid for holiday accrued but not taken at the date of termination of employment.

If on termination of employment you have taken more annual holiday entitlement than you have accrued in that holiday year, an appropriate deduction will be made from your final payment.

All periods of annual holiday must be authorised in advance by management.

You are required to request holidays for approval as early as possible, on the following basis:

- Fill out holiday request form and give to your line manager stating number of days required, dates and the balance of your holidays you have remaining.
- Your line manager will either approve or reject your request and make a note of the dates requested.
- The Holiday request form will be put into your personnel file.

Requests for holiday using the above procedures should be submitted:

- A minimum notice of double the number of days holiday you wish to take e.g. for one week of holiday, 2 weeks of notice is required.
- For annual leave of less than 1 week, you must give a minimum of 1 week of notice, to enable the Council to ensure sufficient resource planning is in place.

For business continuity reasons, the Council may have to limit the number of people off on any one day, either from the entire Council or by team or department.

When dealing with competing requests for annual leave, the Council reserves the right to introduce or apply a first come, first served basis as a fair criterion for selection. This is more likely to be the case during periods of high demand, such as during the summer or Christmas holiday period or to coincide with a major sporting event.

Employees are not normally permitted to carry over accrued annual (statutory) holiday entitlement from one holiday year to the next, nor will it be paid out.

No more than three weeks of annual holiday entitlement can normally be taken at one time. In exceptional circumstances, more may be allowed, subject to your line manager's approval.

Unpaid holiday will only be allowed at management discretion and in exceptional circumstances. You will be expected to use your paid annual holiday entitlement prior to requesting any unpaid holiday.

You must not make firm annual holiday arrangements prior to receiving confirmation from management that your request has been authorised.

Employees who take unauthorised annual holiday will be subject to disciplinary action and this will be considered gross misconduct.

In certain circumstances, the Council may have to temporarily shut down (or to temporarily shut down particular departments) at short notice. Assuming you have sufficient annual leave remaining in the relevant holiday year, the Council may, at its absolute discretion, require you to take some of your annual leave entitlement on the day or days of such a shutdown and, in this case, the Council will not be obliged to give you any minimum period of notice to take your annual leave during the shutdown period.

HOLIDAY CANCELLATION

Where your annual leave has been approved, the Council still reserves the right to cancel it (and will give you at least the same amount of notice as the amount of leave booked) where it's necessary to meet the urgent needs of the Council's business. The relevant period of annual leave will be reinstated back into your annual holiday entitlement.

You will be reimbursed for any direct financial losses you sustain as a result, such as the cost of any pre-booked holiday which has to be cancelled in relation to you and any immediate members of your family, which for these purposes includes your spouse, civil partner, partner and any dependent children. You will be required to provide evidence of such cancellation costs and the Council will not reimburse any other third-party travel companions (other than those specified above) should they choose to cancel their holiday as a result of your non-attendance.

HOLIDAY PAY ON TERMINATION

On termination of your employment, you will be paid in lieu for holiday accrued but not taken in that holiday year only. Unless required by law, on termination of your employment, you have no right to be paid for holiday accrued but not taken in previous holiday years.

If you are on garden leave you will be deemed to have taken any accrued but unused annual leave entitlement prior to the end of the garden leave period.

However, in the event of the termination of your employment for gross misconduct or in the event that you give inadequate notice to terminate your employment, or you leave

before your contractual notice period has expired, you will only be entitled to receive a nominal payment of £1 (one pound) in lieu in respect of any accrued holiday. This relates to both statutory annual leave entitlement provided for under Working Time legislation and any contractual annual leave provided for in your Statement of Terms and Conditions of Employment that is over and above the statutory annual leave entitlement.

If, on the date of termination of your employment, you have taken more holiday than you have accrued in that holiday year, you will be required to reimburse the Council in respect of such unearned holiday and the Council shall be entitled as a result of your agreement to the terms of your contract to deduct the value of the unearned holiday from any final payment of salary made to you.

SICKNESS AND HOLIDAY ABSENCE

If you are absent from work because of sickness immediately before a period of authorised annual holiday, and if your sickness extends into the authorised annual holiday period, or if you become sick or incapacitated whilst on holiday, you will be paid SSP for this sickness absence and will also be permitted to delay the period of annual holiday that you were sick for, until a later time.

If you recover from your sickness before the end of your period of holiday, then you will be assumed to be back on your period of holiday as originally planned.

Employees taking advantage of this policy are required to submit a further annual holiday request in respect of the new period of annual holiday.

The Council requires a doctor's note to confirm that the illness/injury started before or whilst on holiday (i.e., from a doctor at your holiday destination) – a GP's note when you return will not be considered as proof.

LONG TERM SICKNESS ABSENCE

Only statutory annual leave entitlement provided for under Working Time legislation will accrue during a period of long-term sickness absence. Any additional contractual annual leave provided for in your Statement of Terms and Conditions of Employment that is over and above the statutory minimum annual leave entitlement will not accrue during a period of long-term sickness absence, except at the absolute discretion of the Council.

If you are absent due to long-term incapacity, once you return to work you are encouraged to apply to take your accrued holiday entitlement before the end of the holiday year. However, in exceptional cases of long-term incapacity, you may be permitted to carry forward some of your accrued holiday entitlement into the next holiday year if either you are still off sick at the end of the holiday year or there is insufficient time remaining on your return to work in the holiday year to take your full accrued entitlement.

As an absolute limitation, you must then take such carried forward annual leave within 18 months of the end of holiday year in which it accrued, even if you are still absent due to long-term incapacity throughout this period. The Council may also, at its absolute discretion, request you to take your accrued annual holiday entitlement during a period of long-term sickness absence before the end of the holiday year and the Council will not be obliged to give you any minimum period of notice to request you to take your

annual leave in this case. This means that you will be paid your basic rate of pay for the period of holiday, rather than sick pay.

However, if you do not wish to take annual leave during your sickness absence, you may notify the Council in writing that you decline this request, provided that you do so before the period of annual leave commences. At the end of the period of annual leave if you do take it, you will revert to long-term sickness absence unless you are medically fit to return to work.

SPECIAL UNPAID LEAVE

The Council may, in certain circumstances, consider requests for special unpaid leave, for example, for the purposes of education, family responsibilities or for important personal reasons. However, the Council expects you to use your paid annual leave first. Otherwise, any further time off for special reasons will only be granted at the absolute discretion of the Council and you have no contractual or statutory right to be paid for this leave.

If you wish to apply for special leave, you should do so in writing to your line manager stating the date(s) of leave requested and the reasons for it. Requests for special leave will be assessed on their individual merits and circumstances. Special leave is operated entirely at the discretion of the Council and it may be withdrawn at any time.

3 PUBLIC HOLIDAYS

You are entitled to be paid for eight public holidays plus 2 days statutory holiday to be taken during the Christmas shutdown each year (pro rata if you work part time), and you will be advised of the relevant dates as early as possible.

You may be required to work during recognised public holidays, depending on the needs of the organisation. You will be given as much notice as possible of such a requirement.

If you are required to work on a recognised public holiday, you will normally be granted a day off in lieu.

PUBLIC HOLIDAY ENTITLEMENT FOR PART-TIME WORKERS

Public holidays are pro rata for part-time workers.

This is worked out as a percentage of a full-time person's entitlement, rounded to the nearest half day.

If you work full time, you will get 8 public holidays paid per year.

If, for example, you work 2½ days a week, which is 50%, so you would only be paid for 4 of the 8 days.

If you work 4 days per week, which is 80%, so you would only be paid for 6 of the 8 days.

If the workplace is closed on public holidays (and normally it is) then you would have the time off, but only a certain number of these days would be paid.

There are always a higher proportion of Mondays which sometimes causes confusion.

- If you work Mondays, then you would have all of the days off, but only your proportion of them would be paid.
- If you don't normally work Mondays, you would be paid, pro rata, for your entitlement and so you might be paid for a Monday public holiday even though you don't normally work on that day of the week.

4 SICK PAY AND ABSENCE POLICY

COMPANY SICK PAY

The Council operates a sick pay scheme, which enhances Statutory Sick Pay (SSP).

Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with a local authority. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.

The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit so as to maintain normal pay during defined periods of absence on account of sickness, disease, accident or assault.

The sick pay period of 12 months starts on the first day of sickness or injury and ends 12 months after the first day of sickness if the employee is at work. If you are off work sick 12 months after the first day of sickness and have not exceeded the number of entitled sick pay days in that sick pay period, the sick pay period ends when you are back at work.

The following provisions set out your contractual sick pay entitlement. You should clearly understand, however, that when payment of contractual sick pay is made this is inclusive of any SSP entitlement, and will take into account any Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable.

You will be paid basic rate of pay during sickness absence as detailed in the following table in any 12-month rolling period (pro rata if you work part time):

Period of continuous employment Sick Pay Entitlement

0 to under 4 months	One month full basic rate of pay
Over 4 months to 1 year	One month full basic rate of pay followed by 2 months' half basic rate of pay
Over 1 year to 2 years	2 months' full basic rate of pay followed by 2 months' half basic rate of pay
Over 2 years to 3 years	4 months' full basic rate of pay followed by 4 months' half basic rate of pay
Over 3 years to 5 years	5 months' full basic rate of pay followed by 5 months' half basic rate of pay
After 5 years' service	6 months' full basic rate of pay followed by 6 months half basic rate of pay

In the case of full pay periods sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable will secure the equivalent of normal pay.

In the case of half pay periods sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit, Employment

and Support Allowance or equivalent social security benefit receivable, so long as the total sum does not exceed normal pay.

The decision whether to pay Council sick pay will take into account any previous payments of Council sick pay made in the previous twelve months and/or current sick pay year, prior to the first day of the current sickness absence.

For your entitlement to Council sick pay in the new sick pay year to commence, there will need to have been a gap of at least 8 weeks since your last period of sickness.

If you have two periods of sickness absence which are less than 8 weeks apart, the period of absence will be linked and be deemed continuous. The Council reserves the right to only pay SSP for any sickness absence.

Payment of Council sick pay may not be made unless the Council procedures relating to the notification and certification of absence have been fully complied with.

The Council reserves the right not to pay Council sick pay where the sickness is self-induced or where the sickness or injury arises from misconduct at work. Self-induced includes carrying out the following dangerous sports:

<p>Water Water skiing, jet biking/skiing, white water rafting, or canoeing, scuba diving - (unqualified, max depth 30m), scuba diving (qualified, max depth 40 metres), sea canoeing, white/black water rafting (grade 5 to 6), yachting (racing or crewing) outside territorial waters, high diving.</p> <p>Air Bungee jumping, paragliding, parasailing, parascending, or parachuting, aeronautics, or aviation other than as a passenger, flying (piloting private/small aircraft or helicopter), sky diving, hang-gliding, micro lighting.</p>	<p>Land Mountaineering and/or rock climbing normally involving the use of ropes and/or guides, pot holing, motor sport competitions, sports tours, horse riding (polo, hunting, jumping), trekking or hiking (over 6000m); skiing, snowboarding, snow skating, snow blading, snowmobiling, tobogganing, cross country skiing, mono-skiing, off-piste skiing and snowboarding where it is undertaken in designated unsafe areas or outside ski area boundaries; mountain biking (e.g. downhill racing and extreme terrain), American football, sand yachting, canyoning, rock scrambling.</p>
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Any activity not listed above but which could be considered a hazardous activity, sport, pastime or employment (involving an increased risk of injury), will NOT be covered under the Council sick pay policy UNLESS declared to, and accepted by, the Council before commencement.

Any Social Security benefits which you are entitled to should be claimed. All payments received must be notified to the Council and will be deducted from Council sick pay entitlement.

If any sickness or injury is caused by the actionable negligence of a third party in respect of which compensation is or may be recoverable, you must notify your line manager immediately. You must also inform them of any claim that you pursue. Should any

settlement, award or judgment be made in connection with the sickness or injury, you must give your line manager such particulars as soon as possible.

Any sick pay over and above SSP paid to you during a period of sickness absence shall be treated as a 'loan only' if compensation is subsequently recovered by you from the third party. It is a condition of the Council's discretionary sick pay scheme that any payments made under it are repaid in full if compensation is later recovered from a third party. The Council reserves the right to deduct the amount of any such payments made to you and subsequently recovered from a third party from your future ongoing salary payments.

The rules of the Council sick pay scheme do not imply that termination of employment may not take place prior to the payment of Council sick pay being exhausted.

If you have been invited to an investigatory meeting, are suspended or have been notified you are to attend a disciplinary hearing and are unable to attend work or a meeting due to sickness, any eligibility for Council sick pay will not be paid and you will be entitled to statutory sick pay only.

If you are prevented from attending work because of contact with infectious disease, you shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against your entitlements under this scheme.

STATUTORY SICK PAY

Once Council Sick Pay has been exhausted, or if Council sick pay is not payable, if you are absent because of sickness, you will normally be entitled to receive Statutory Sick Pay (SSP).

SSP is not normally payable for the first three days of sickness absence. Thereafter the Council will normally pay SSP at the statutory rate in force for a maximum of 28 weeks. (If Council sick pay has been paid it will have included SSP and therefore only any balance of the 28 weeks will be payable.)

In order to qualify for SSP you must comply with all Council procedures relating to the notification and certification of absence.

If you are excluded from the SSP scheme, e.g., if you do not earn enough to pay National Insurance Contributions, you may be entitled to Employment Support Allowance.

If your average earnings before deductions such as tax and National Insurance (NI) meet the required level, then you will earn the standard weekly rate of SSP. For details, please visit the government's website: <https://www.gov.uk/statutory-sick-pay>.

ABSENCE PROCEDURE AND RULES

GENERAL ABSENCE (NOT SICKNESS)

You are required to attend for work punctually at the times defined in your contract or as instructed by the Council. In addition, you are required to comply with any time recording procedures. If you are unable to attend work for any reason, you must inform your line manager by your normal starting time on the first day of absence and

thereafter on each subsequent day or as frequently as you are instructed by your line manager.

ABSENCE DUE TO SICKNESS

You are required to notify the Council as soon as possible of your sickness absence and the reasons for it.

On the first morning of your sickness, you should personally contact your line manager, by phone wherever possible, and by no later than 9am or one hour before your start time, whichever is the earlier.

E-mail and text message contact is unacceptable, as is contact through social media websites or using online or mobile phone instant messaging facilities.

If you are unable to speak to your line manager personally, you should speak to a member of the staffing committee or failing that a member of the Council.

You should give details of the nature of your illness and indicate when you think that you will be fit to return to work.

It is unacceptable for a third party to contact the Council on your behalf to report your sickness absence, other than in very exceptional circumstances (for example, where you have been unexpectedly admitted to hospital and you are not in a position to make the telephone call yourself).

You must inform your line manager as soon as possible of any change in the date of your anticipated return to work. Contacting your line manager by text message or e-mail or through social media websites or instant messaging facilities with updates is also unacceptable, other than in exceptional circumstances. If you have been diagnosed as having contracted an infectious or contagious disease, such as measles or chicken pox, or a pandemic virus, you must inform your line manager as soon as possible after your diagnosis.

For long-term sickness absence, which is classified as absence for four weeks or more, or for frequent periods of sickness absence, the Council may request a medical report. Your GP or Consultant will provide this. The cost of any such report or examination will be met by the Council and you are required to co-operate in the obtaining and disclosure of all results and reports to the Council. You do not have to agree to co-operate with this process. However, should you choose not to engage, the Council can only make decisions based on the evidence it has.

If you are unable to contact the Council for any reason, your next of kin or other responsible person should make contact within 24 hours to advise of the absence from work. (For example, if you are unconscious following a road traffic accident.)

If you are absent from work without explanation for over 24 hours, this may be considered Gross Misconduct.

It is essential that you keep the Council updated on the circumstances of the absence and of its estimated duration.

Where the absence lasts for more than seven calendar days a Statement of Fitness for Work (Fit Note) completed by a medical practitioner (GP) must be forwarded to management to cover the absence. In this case, a Self-Certification Sickness Form should be completed by you on your first day back at work. If you have been sick for less than 7 days, you will only need to complete a Self-Certification Sickness Form. A return to work interview will be held on your return to work after any period of sickness.

Where, for the purpose of qualifying for sick pay under the scheme, the Council requires a doctor's statement from you, the Council will reimburse you the cost of such a statement on the provision of a receipt.

We expect you to keep us informed if you are not able to return when you initially said you would and reserve the right to contact you to find out when you will be able to return.

Everyone's attendance at work will be monitored so that any unacceptable levels of absenteeism can be examined by management.

If you are in receipt of sick pay (including Statutory Sick Pay) you are not allowed to undertake any form of paid alternative employment, self-employment or voluntary work. Any breach of this rule will be regarded as gross misconduct, which could result in dismissal.

The Council reserves the right to send you home if, for any reason, you appear to be unfit for work or appear to present a risk to yourself, the workplace, other staff members or third parties. These are precautionary measures designed to prevent the spread of disease in the workplace and/or further harm to you or others.

COMPASSIONATE LEAVE

Any time to be taken as compassionate leave will normally be unpaid. The amount of time that will be granted will depend on what is deemed to be reasonable but is generally expected to be no more than one or two days in most situations.

If the compassionate leave is for the death of a child who you have parental responsibility for then Parental Bereavement Leave policy will apply instead of compassionate leave.

Please see also "Parental Bereavement Leave and Pay" Policy.

MEDICAL APPOINTMENTS

Appointments with doctors, dentists and other medical practitioners should, as far as reasonably practicable, be made outside of your normal hours of work or with the minimum disruption to the working day (i.e., made at the beginning or end of the working day).

Time off work to attend medical appointments must be authorised by your line manager in advance. In any event, unless there are exceptional circumstances, no more than two hours should be taken off work for any one appointment.

You will not normally be paid for absences relating to attendance at medical

appointments. Any payment of salary during attendance at such appointments is made at the absolute discretion of the Council.

CANCER SCREENING

Necessary paid time off will be granted for the purpose of cancer screening.

ALCOHOL AND DRUG TESTING

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

ELECTIVE SURGERY

Elective surgery is surgery that is not considered to be medically necessary, for example because it is concerned with the enhancement of appearance through surgical and medical techniques. It includes cosmetic surgery (such as breast implants and face-lifts) and other non-essential medical procedures such as laser eye treatment and vasectomies.

If you wish to take time off for elective surgery, you may use your existing paid annual leave entitlement, provided you comply with the provisions relating to annual leave set out in your contract of employment and in the section on "Holidays".

You have no contractual or statutory right to be paid for time off for elective surgery. Any payment of salary made by the Council in such circumstances is done so at its absolute discretion. If applicable, time off for elective surgery will be paid at your basic rate of pay. You may apply for unpaid time off, using normal procedure.

If you wish to apply for time off for elective surgery, you should apply in writing to the Staffing Committee, as far in advance as possible of the day on which the surgery is to take place, stating the period of leave requested and the reasons for it. Any information provided will be maintained in strict confidence and will only be disclosed on a "need-to-know" basis. You may also be required to provide an appointment card and/or a statement from a qualified medical practitioner that elective surgery has been approved and confirming the time off required for recovery.

GENDER REASSIGNMENT

Gender reassignment is a process which is undertaken for the purpose of permanently reassigning a person's sex by changing physiological or other characteristics or attributes of sex, and it includes any part of such a process.

If required, the Council will grant you leave to undergo gender reassignment surgery

and you will be treated no less favourably than if you were absent because of sickness or injury. Medical appointments in connection with the gender reassignment process will be treated no less favourably than any other medical appointments. You should try to arrange medical appointments and surgery at times that will cause the minimum amount of inconvenience to the Council.

You have no contractual or statutory right to be paid for time off for gender reassignment medical appointments or surgery. Any payment of salary made by the Council in such circumstances is done so in its absolute discretion. However, in relation to time off for surgery, the Council accepts that gender reassignment is not a lifestyle choice and therefore provided you comply with the Council's sickness absence reporting procedure and your absence is properly certified, you will receive sick pay in accordance with the Council's sick pay provisions set out in your contract of employment and in the section on "Sick Pay". If you require further paid time off, you may use your existing paid annual leave entitlement, provided you comply with the provisions relating to annual leave set out in your contract of employment and in the section on "Holidays".

If you wish to apply for time off for gender reassignment surgery, you should apply in writing as far in advance as possible of the days on which time off is required to the Staffing Committee stating the period of leave requested. Time off to attend medical appointments must be authorised by your line manager in advance in the normal way. Any information provided will be maintained in strict confidence and will only be disclosed on a "need-to-know" basis. You may also be required to provide an appointment card and/or a statement from a qualified medical practitioner that the process of gender reassignment has been approved and confirming the time off required after surgery.

FERTILITY TREATMENT

Medical appointments in connection with the early stages of the fertility treatment process will be treated no less favourably than any other medical appointments. You should try to arrange fertility treatment at a time that will cause the minimum amount of inconvenience to the Council. If you require further time off, you may use your existing paid annual leave entitlement, provided you comply with the provisions relating to annual leave set out in your contract of employment and in the section on "Holidays".

You have no contractual or statutory right to be paid for time off for fertility treatment. Any payment of salary made by the Council in such circumstances is done so in its absolute discretion. If applicable, time off for fertility treatment will be paid at your basic rate of pay.

If you wish to apply for time off for fertility treatment, you should apply in writing as far in advance as possible of the days on which time off is required to the Staffing Committee stating the period of leave requested. Time off to attend medical appointments must be authorised by your line manager in advance in the normal way. Any information provided will be maintained in strict confidence and will only be disclosed on a "need-to-know" basis. You may also be required to provide an appointment card and/or a statement from a qualified medical practitioner that fertility treatment has been approved.

5 EMPLOYEE BENEFITS

The Council offers employee benefits to all permanent members of staff some of which are dependent on the length of service with the Council before they become eligible.

The following details provide a brief summary of the benefits currently being provided:

EYE TEST

If you are a Display Screen Equipment User, the Council may pay for you to have an eye test upon request. You can reclaim the costs of your eye test on expenses – a detailed receipt will be necessary. If glasses are required solely for display screen equipment use, the Council may contribute towards the cost.

PENSION SCHEME

We provide a pension in line with auto-enrolment legislation. This will be deferred until you have completed three months' continuous service. Please contact the Office Manager for details.

You will be subject to the rules of the scheme that are in force from time to time. The Council reserves the right to terminate its arrangement with this provider and to take out a new scheme with another pension scheme provider at any time.

DEATH IN SERVICE OR PERMANENT DISABLEMENT ARISING FROM ASSAULT

The Council will provide you with cover under this scheme as defined in the Green Book, subject always to the terms of the relevant insurance policy and the rules of the scheme from time to time in force.

The Council reserves the right, at any time, to terminate this cover and take out cover with another life assurance provider. Any new provider's scheme may not give equivalent or comparable cover as the current cover. The Council also reserves the right to withdraw the cover at any time. In this case, you will be given one month's notice of the withdrawal of cover to enable you to make your own arrangements for equivalent life assurance cover at your own expense. Finally, the Council reserves the right to alter the benefits available to you under, or the terms and conditions of, the scheme at any time and no compensation will be paid to you.

This is an insured benefit. This means the benefits to which your beneficiaries may be entitled in the event of your death or permanent disablement are strictly governed by the terms of the provider's insurance policy in force at the relevant time. The Council will not under any circumstances make any payments to your beneficiaries where the provider refuses payment under the terms of the insurance policy. The Council will also not be liable in the event of any failure by or refusal from the provider to provide cover or any application of any conditions or limitations to the benefits by the provider.

6 DRESS AND APPEARANCE POLICY

The Council wishes to portray a professional business image to its clients and customers. As a result, it operates minimum standards of dress and appearance, which require employees to dress in a manner that is suitable and appropriate to the Council's business both within the workplace and when representing the Council.

This policy is not exhaustive in defining acceptable and unacceptable standards of dress and appearance and you must therefore use common sense in adhering to the principles underlying the policy.

EMPLOYEES WHO MUST COMPLY WITH A DRESS CODE

All employees are required to be neat, clean, well-groomed and presentable whilst at work, whether working on the Council's premises or elsewhere on Council business. If, as part of your job duties, you come into contact with the Council's clients or customers or members of the public, you must adhere to the following minimum dress and appearance standards:

- You should wear smart casual attire whilst working.
- You should wear smart shoes in a discreet, dark colour
- Hair should be kept neat and well-groomed
- Jewellery should be kept to a minimum and should be conventional
- Nose rings, eyebrow rings and other facial or visible body piercings are prohibited
- Tattoos should be kept covered and should not be visible.

If your job does not bring you into contact with the Council's clients or customers or members of the public, you are permitted to wear more casual clothing to work but the following are still classed as unacceptable attire for all employees:

- Torn trousers
- Shorts or miniskirts
- Sports clothing, for example tracksuits and football shirts
- Low cut or transparent tops
- Tops with slogans or symbols that could cause offence
- Dirty clothing, or clothing in a poor state of repair
- Excessive or unconventional jewellery.

EMPLOYEES WHO ARE REQUIRED TO WEAR A UNIFORM

Employees who are required to wear a uniform must ensure that they do so whilst at work, whether working on the Council's premises or elsewhere on Council business. Uniforms must be neat and clean and worn in a presentable fashion. Uniforms supplied must not be altered in any way without the Council's prior permission.

If you are required to wear a name badge or ID card, this should be worn at all times

whilst you are at work and must not be worn elsewhere.

Where uniforms are supplied by the Council, they remain the property of the Council. You must therefore take care of them and return them in good condition on the termination of your employment. In the event that you fail to return your uniform in good condition, or you lose or damage your uniform during employment, the replacement cost of the uniform may be deducted from your final salary payment, or from your next salary payment.

EMPLOYEES WHO ARE REQUIRED TO WEAR PROTECTIVE CLOTHING AND EQUIPMENT

Employees who occupy roles that require protective clothing, such as hard hats, gloves, masks and safety footwear are required to wear this clothing etc whilst at work, whether working on the Council's premises or elsewhere on Council business, whenever required by law or by Council rules.

If your job brings you into contact with machinery or involves working with food, for health and safety and hygiene reasons your hair must be kept short or tied back at all times (and covered if working with food) and you must not wear jewellery other than a wedding ring.

The Council accepts that members of certain ethnic or religious groups are subject to strict religious or cultural requirements in terms of their clothing and appearance. Subject to necessary health and safety and security requirements and other similar considerations, the Council will not insist on dress rules which run counter to the cultural norms of such employees. If you are uncertain as to whether a particular item of clothing is acceptable or not, please speak to your line manager.

PERSONAL HYGIENE

In addition to the minimum standards of dress and appearance set out above, all employees are required to take all reasonable steps to maintain acceptable levels of personal hygiene. This includes ensuring that you do not have body odour, dirty or stale-smelling clothing, dirty hair or bad breath whilst at work, whether working on the Council's premises or elsewhere on Council business.

It also includes ensuring that your clothes, hands, hair or breath do not smell of smoke whilst at work as a result of smoking outside your normal hours of work or during designated breaks. Poor personal hygiene can result in an unacceptable working environment for other employees, given the close proximity in which you have to work, and it can create a negative image of the Council when dealing with clients, customers, contractors or suppliers.

You must also refrain from wearing overpowering or excessively strong-smelling aftershaves or perfumes as these can be equally unacceptable to third parties.

The chewing of any type of gum or tobacco whilst at work is expressly prohibited as it looks unprofessional in front of third parties.

The Council accepts that, occasionally, a problem of body odour or bad breath may be

as a result of a health or medical issue and may not always be due to a lack of personal hygiene. In this case, you should seek medical advice from your doctor and follow that advice.

BREACH OF THIS POLICY

If you fail to comply with the above rules, this is a serious matter and will be dealt with in accordance with the Council's disciplinary procedure. In addition, depending on the circumstances of the case, you may be required to go home and change your clothing. If this happens, you have no right to be paid for the period of your absence from work.

7 TIMEKEEPING

You are expected to report for work punctually and to observe the normal hours of work laid down in your contract of employment, including the provision for lunch breaks. Failure to report for work on time is detrimental to the efficient running of the organisation and imposes an unnecessary and unfair burden on colleagues.

You are responsible for ensuring you arrive at work early enough to enable you to begin work at your appointed start time. Your start time is the time you are expected to actually start work, not the time you are expected to arrive at your normal place of work. Likewise, you are required to remain at work and actually working at least until your appointed finish time, unless granted authorisation by your line manager to leave early. The same principles apply to lunch breaks.

If you are going to be late for work, you must make every effort to contact your line manager by telephone as soon as possible to notify them of this fact and of the time you expect to arrive. If you are then late for work, you must report to your line manager and explain the reason for your lateness before starting work. It is expected that, occasionally, circumstances outside your control can cause lateness, for example cancelled trains or road traffic accidents. However, where the reason for delay is a normal or regular occurrence, or one which can reasonably be anticipated, this will not be regarded as a valid reason for your lateness, for example ongoing road works on your route to work.

If it becomes necessary for you to leave work before your normal finishing time or to take time off work during normal working hours (even in circumstances of a family emergency), prior authorisation must be obtained from your line manager. You must then report to your line manager on re-starting work. In respect of family emergencies, please see the section on "Time Off for Dependants" (under section "Statutory rights to time off") for further information.

This policy also governs your timekeeping whilst at work, for example in respect of your attendance at meetings or internal staff training. You should aim to arrive at meetings, etc. at least five minutes before they are scheduled to start.

Except in the normal course of your job duties and during your lunch break, you must not leave your place of work without prior authorisation from your line manager.

Your line manager will monitor your timekeeping on an on-going basis. Such monitoring will include visual observation and/or electronic swipe-card data (where appropriate). Your line manager is responsible for keeping records of the dates and number of occasions of lateness and the length of lateness on each occasion.

You have no contractual or statutory right to be paid for time not worked due to lateness or absence. Any payments made by the Council in such circumstances are done so in its absolute discretion.

Failure to comply with the above rules and procedures without reasonable excuse and/or persistent poor or unsatisfactory timekeeping or falsifying working hours/timesheets are serious misconduct offences and will be dealt with in accordance with the Council's disciplinary procedure.

8 EXPENSES

Expenses incurred by employees will be reimbursed in accordance with these rules. These rules are designed to provide for the reimbursement of reasonable out-of-pocket expenses wholly, exclusively, necessarily and actually incurred by an employee engaged on the business of the Council.

In order to claim back expenses, you must complete and sign a claim form, have it countersigned by your line manager and then submit it to the Office Manager no later than the end of the month following the month the expense was incurred. You are expected to provide original VAT receipts for expenditure incurred where this is reasonably practicable, and you should give a full description of the expenditure incurred and why it was necessary. You should ensure all expense claims are made and submitted promptly.

The Council does not advance expenses.

TRAVELLING EXPENSES

The Council will reimburse travelling expenses necessarily incurred for business purposes. This is generally limited to the cost of travel from the Council's office to the business destination and return. Journeys between your home and normal place of work are considered private and do not constitute business travel. Under no circumstances should you claim the cost of your journeys from home to your normal place of work.

The following expenses will be paid:

- Where you use your own vehicle, mileage allowance at a rate per mile as determined by the Council from time to time and notified to you. In this case, ensure you record your actual mileage undertaken. Your vehicle must be comprehensively insured for use while on Council business
- Where you have a Council vehicle, the cost of fuel you have used in connection with Council business
- Bus fares, or standard class rail or coach fares
- Taxi fares where suitable public transport is not available
- Economy class air fares (provided your line manager has authorised this in advance).

The Council is not responsible for any fines or penalty fares which you may receive while on Council business. The responsibility for paying such fines or penalties is yours.

SUBSISTENCE EXPENSES

If you are required to stay away from home overnight on Council business, you may claim the costs of overnight accommodation, i.e., evening dinner, bed and breakfast only, at an appropriate hotel or guesthouse approved in advance by your line manager. The Council will not reimburse items of a personal nature such as alcoholic drinks, newspapers and private telephone calls.

STAFF AND CLIENT ENTERTAINMENT

You should be aware that entertaining may amount to bribery, which is a criminal offence, where the person offering the hospitality intended the recipient to be influenced to act improperly. This is most likely to be the case where the hospitality is excessive or unreasonable. Therefore, entertaining expenses are not allowed.

OTHER EXPENSES

You should seek the prior approval of your line manager before incurring other expenses.

9 VEHICLE POLICY

DRIVING WHILST ON COMPANY-RELATED BUSINESS

This policy applies to employees who drive on Council-related business using their own private vehicles.

The employee must drive within the law and abide by all requirements of road traffic and criminal law and the Highway Code, including but not limited to ensuring that:

- They are fit to drive
- The vehicle is roadworthy
- Traffic signs and speed limits are observed
- The vehicle is properly parked and not in breach of any road traffic regulations.

Employees are prohibited from driving the vehicle whilst under the influence of any intoxicating substances such as alcohol or drugs. It is illegal to drive if an employee is unfit to do so because they are on drugs, i.e. their driving is impaired due to the influence of drugs, or because they have levels of alcohol or illegal drugs in their blood that exceeds the specified limit for alcohol or the particular drug (even if this has not affected the employee's driving).

Employees who are taking any prescription drugs or other over the counter medication which may cause drowsiness should inform their line manager prior to driving the vehicle as this may affect their ability to drive. In particular, it is illegal to drive even with legally prescribed drugs in the blood if it impairs the employee's driving and causes them to be unfit to drive.

Finally, it is an offence to drive if an employee has levels of some legal prescription drugs in their blood that exceeds the specified limit for the particular drug and they have either not been prescribed them or they have not taken them in accordance with the advice of the healthcare professional who prescribed or supplied them and with manufacturer's instructions. These drugs are clonazepam, diazepam, flunitrazepam, lorazepam, methadone, morphine, oxazepam and temazepam. Employees should talk to their doctor about whether they should drive if they have been prescribed any of these drugs.

DRIVING LICENCE AND INSURANCE

You are required to be in possession of a current, full driving licence at all times when driving on Council-related business. Upon request, you must provide us with the appropriate online access to your driving licence for inspection.

Employee link: <https://www.gov.uk/view-driving-licence>

Employer link: <https://www.gov.uk/check-driving-information>

When you use your own vehicle on Council-related business, you must ensure your policy of insurance specifically covers using the vehicle for business travel. Upon request, you must produce your insurance certificate confirming business travel cover.

MILEAGE ALLOWANCE

If you use your own vehicle whilst driving on Council-related business, an allowance will be paid in accordance with the Council's Expenses policy.

ROADWORTHINESS AND TAX

When using your own vehicle for business reasons, you must ensure that it is maintained in good repair and in an efficient roadworthy condition, that it is serviced at the recommended intervals (in line with the vehicle logbook and mileage record), that regular safety checks are made. These checks should include tyre tread and pressure, lights and indicators, brakes, fuel, battery, oil, water coolant, screen wash, undamaged windows and windscreen including working washers and wipers, no signs of vehicle damage and mirrors are correctly positioned. You should ensure that it conforms with current road traffic legislation and that the provisions and conditions of the vehicle insurance policy are observed and that such policy is not rendered void or voidable. The vehicle must not be used for business travel if you know or suspect it may have a defect or in any other way is not roadworthy.

You must also take reasonable steps to ensure that your vehicle is in a clean and presentable condition (both externally and internally) when used for business travel on the basis that it represents the Council to its clients, customers, suppliers and others.

In addition, you must ensure your vehicle has a valid MOT certificate (where required) and is taxed (vehicle road fund licence) when using it for business travel. Upon request, you are required to submit a copy of the vehicle's MOT certificate.

FINES AND PENALTIES

You are responsible for the payment of any fines or charges incurred as a result of a motoring offence committed whilst driving on Council-related business, including but not limited to parking, congestion and speeding fines.

ACCIDENTS AND LOSS OF LICENCE

You must report to the Council forthwith any road traffic accident in which you are involved whilst driving your own vehicle on business travel, regardless of fault. You must also immediately report to the Council any order of any court to disqualify you from holding a driving licence (or fixed penalty notice which results in disqualification under the "totting up" provisions), whether or not that consequence occurred whilst driving your vehicle on Council-related business, together with any other event which results in you being ineligible to drive.

CARRYING OF PASSENGERS

You are prohibited from carrying personal passengers in your vehicle when using it for business travel. However, you are permitted to carry business-related passengers in the vehicle (such as fellow employees or clients/customers) when using it on Council-related business as the circumstances of the case dictate. When carrying passengers, you should ensure they comply with the vehicle manufacturer's design specification. There should be enough seats for all passengers and only one person per seat. The driver and any

passengers must wear seat belts on all journeys.

SAFE STANDARDS OF DRIVING

When driving on Council-related business, you must drive within the law and abide by all requirements of road traffic law and the Highway Code, including ensuring that:

- Your vehicle is taxed and insured
- Traffic signs and speed limits are observed
- The vehicle is properly parked and not in breach of any road traffic regulations.

You are prohibited from driving on Council-related business whilst under the influence of any intoxicating substances such as alcohol or drugs. If you are taking any prescription drugs or other medication which may cause drowsiness, you should inform your line manager prior to driving as this may affect your ability to drive. While driving on Council-related business, it is important that you take regular breaks because driving when tired can result in accidents.

BREACH OF THIS POLICY

A failure to observe these rules will be regarded as a disciplinary offence and will be dealt with in accordance with the Council's disciplinary procedure. Depending on the seriousness of the breach it may constitute potential gross misconduct rendering you liable to summary dismissal.

10 CODE OF CONDUCT

The Code of Conduct set out below is designed to cover the main areas of the required standards of behaviour and performance. The code includes Council Rules, which all employees are required to comply with, and examples of misconduct, which the Council normally regards as Gross Misconduct. A breach of the Council Rules will render you liable to disciplinary action in accordance with the Disciplinary Procedure. An instance of Gross Misconduct will render you liable to dismissal without notice.

The Council Rules and the examples of misconduct are not exhaustive. You are under a duty to comply with the standards of behaviour and performance required by the Council, and to behave in a reasonable manner, at all times.

All Council Rules apply to employees and their postings on social media. Anything said/posted on social media will be treated as if the same remark had been said face to face.

COMPANY RULES

You are required to comply with the rules relating to notification of absence, which are set out in the Council's Sick Pay and Absence Policy.

You are required to arrive at work promptly, ready to start work at your contracted starting time, and are required to remain at work until your contracted finishing time. See section on Timekeeping.

You may be required to work additional hours at short notice, as the needs of the business require.

You are responsible for your own time recording on commencing and finishing work. Any errors or omissions must be cleared with management, who will authorise or endorse any amendment.

You are required to maintain satisfactory standards of performance at work, a high level of quality, accuracy, and diligence.

You are required to keep confidential, both during your employment and at any time after its termination, all information gained in the course of your employment about the Council's business, and that of the Council's customers, except in circumstances in which you are required to disclose information by law or in the course of the performance of your duties with the Council. (This includes postings on social media.)

You may be required from time to time to undertake duties outside your normal job remit.

You may be required from time to time to work at locations other than your normal place of work.

You are required to co-operate fully with your colleagues and with management, and to ensure the maintenance of acceptable standards of politeness (including postings on social media).

You are required to take all necessary steps required to safeguard the Council's public image and preserve positive relationships with its customers and suppliers (including postings on social media).

The use of inappropriate or offensive language and behaviour towards clients, suppliers or other members of staff (including postings on social media) is considered a serious disciplinary matter.

You are required to comply with the Council's Operating Policies and Procedures, as detailed in this Handbook.

You are required to ensure that you do not behave in a discriminatory manner (including postings on social media).

You are required to gain an understanding of the Council's health and safety procedures, to observe them, and ensure that safety equipment and clothing, if appropriate, is always used. Any action by you which endangers the health or safety of yourself, other employees or any other persons, may lead to disciplinary action being taken.

All accidents, however small, must be reported to management as soon as possible, and an entry made in the Council's Accident Book (kept by the Office Manager).

You are required to comply with all reasonable management instructions.

You are not permitted to make use of the Council's or its customers' telephone, fax, or postal facilities and services without management permission. (Please refer to the Information and Communications Policy below.)

Council property and equipment must not be taken from the Council's premises unless for use on authorised Council business.

The Council may request to search your clothing, personal baggage, and vehicles. Any such search must be conducted by an authorised member of management in the presence of an independent witness. Should you refuse such a request, the appropriate authorities will be requested to conduct the search on behalf of the Council. Failure to co-operate with the Council in this respect may be treated as gross misconduct.

You are solely responsible for the safety of your personal possessions while on the Council's premises. You must ensure that your possessions are at all times kept in a safe place.

If you find an item of personal property belonging to someone else on the premises you are required to inform management immediately.

You are forbidden to use hand-held mobile phones whilst driving on Council business, whether driving in a Council or your own vehicle (please refer to the section on Mobile Phone Usage and Driving).

GROSS MISCONDUCT

Set out below are examples of behaviour which the Council considers to be Gross

Misconduct. Such behaviour will render you liable to dismissal without notice. *You should note that this list is not exhaustive.*

- Theft, or unauthorised removal of, or possession of, property belonging to the Council or any employee or client of the Council.
- Deliberately falsifying working hours, expenses or mileage information.
- Assault, acts of violence, or aggression.
- Gross rudeness to clients or colleagues.
- Unacceptable use of obscene or abusive language.
- Possession or use of non-prescribed drugs on Council premises, or during working hours.
- Possession or use of alcohol on Council premises, or during working hours, without Senior Management's permission.
- Wilful damage to, or unauthorised use of, Council property or the property of any employee or client.
- Serious insubordination.
- Refusal to carry out reasonable management instructions.
- Falsification of records or other Council documents, including those relating to obtaining employment.
- Serious negligence which causes or might cause unacceptable loss, damage or injury.
- Discrimination on the basis of any of the protected characteristics.
- Gambling, bribery or corruption.
- Serious bullying or harassment (including postings on social media).
- Acts of indecency or sexual harassment.
- Serious breach of the Health and Safety policies and procedures.
- Accepting gifts from outside organisations, which have not been approved by management.
- Breach of confidentiality, including the unauthorised disclosure of Council business to the media or any other party (including postings on social media).
- Misuse of the Council's property or name (including postings on social media).
- Bringing the Council into serious disrepute (including postings on social media).
- Unauthorised access to or use of computer data.
- Copying of computer software, other than when authorised in the normal course of your employment.
- The display of sexually explicit or otherwise offensive images or documents on any Council system.
- Misuse of e-mail. Examples of e-mail misuse include, but are not limited to, the following:
 - Transmitting obscene, profane or offensive material.
 - Transmitting or displaying messages, jokes, or forms which breach the

Council's Equal Opportunities Policy or create an intimidating or hostile work environment.

- Sending Council information to any personal email account, no matter whose personal email account it is (this is considered a data breach under GDPR).
- Sleeping during working hours.
- Failing to wear Personal Protective Equipment as required.
- Working for a competitor without permission.
- Being absent from work without explanation for over 24 hours.
- Posting of negative comments about the business on all forms of social media.
- Engaging in activities which are clearly inconsistent with declared reasons for sickness absence

11 INFORMATION AND COMMUNICATIONS POLICY

INTRODUCTION

The Council expects all its computer and telephone facilities to be used in a professional manner. The Council is committed to protecting its commercial interests and meeting its obligations by ensuring that its information, information processing and communication systems are used in an appropriate manner.

GENERAL PRINCIPLES

Things to know

- ① Information Security is everybody's responsibility.
- ① The Council's information systems are provided for business use. Reasonable personal use is permitted.
- ① The Council reserves the right to monitor any aspect of its information and communications systems in order to protect its lawful business interests. Information gathered from such monitoring may be used to instigate or support disciplinary proceedings.
- ① You should have no expectation of privacy when using Council information and communications systems. This includes computers, laptops, tablet PCs (e.g., iPad), mobile or smartphones.
- ① Breach of this policy will result in disciplinary action. Depending on the severity of the breach, this may include:
 - An informal warning from a manager
 - A formal written warning for misconduct
 - Dismissal for gross misconduct
 - Criminal proceedings
 - Civil proceedings to recover damages
- ① This policy refers in several places to things that "Others may find offensive". These include but are not limited to:
 - Pornographic or sexually explicit material
 - Racist, sexist or homophobic material
 - Offensive material on any of the protected characteristics under the Equality Act 2010
 - Tasteless material (such as depiction of injury or animal cruelty)

Things to do

- ✓ Exercise care and common sense in your use of information and communication systems.
- ✓ Report any security-related incident to your line manager or our IT support team.

Things not to do

- ☒ Anything illegal.
- ☒ Anything that contravenes this policy.
- ☒ Anything that will harm the commercial interest, reputation or business objectives of the Council.

HANDLING SENSITIVE INFORMATION

Things to know

- ① In the course of your work, you may come across information of a sensitive nature. This could include:
 - Personal data relating to living individuals. This is especially sensitive when aggregated to include many individuals
 - The Council's Intellectual Property (such as product designs or software source code)
 - Confidential financial information (such as salary or financial planning data)
- ① Sensitive information must be protected against disclosure to unauthorised parties.
- ① It is your responsibility to handle sensitive information appropriately and in accordance with Council procedures.
- ① Encryption tools and techniques vary, but all methods can be 'cracked' given sufficient time and resources.

Things to do

- ☒ When creating sensitive information, ensure that it is appropriately marked so that others will know how to handle it.
- ☒ Communicate sensitive information only to authorised parties using approved methods.
- ☒ Where encryption is necessary, use only tools and guidance provided by the Council for this purpose.
- ☒ Ensure that sensitive information is deleted or destroyed appropriately at the end of its life.

Things not to do

- ☒ Do not send sensitive information via the internet without management approval and approved encryption. Common examples of sending over the internet which are not permitted include:
 - Using work e-mail to send to private external recipients
 - Using web-based e-mail to send to anyone
 - Using instant messaging to send to anyone
 - Using file transfer or file sharing web sites
- ☒ Do not copy sensitive data to removable media without management approval and

approved encryption. Common examples of removable media include:

- USB sticks and memory cards
- CDs and DVDs
- External hard drives
- Electronic devices with data storage capacity (including mobile and smartphones, cameras, iPods, tablet PCs, etc)

YOUR COMPUTER

Things to know

- ① "Your" work computer is the property of the Council and has been prepared for use on the Council network.
- ① You are required to log on to the Council's computer system using your own password, which you are required to keep secret from all employees and non-employees (including contractors).
- ① The act of using another employee's password to log on to the computer system, without that employee's knowledge, may be considered as gross misconduct.
- ① Data saved to local drives will not be backed up, and will be lost if your computer breaks, gets stolen or is replaced.
- ① The Council may at any time and without prior notice:
 - Audit your computer to ensure compliance with policy
 - Require the return of your computer and any associated equipment

Things to do

- ✓ Lock your workstation (CTRL+ALT+DEL) when you are away from it.
- ✓ It is very important that you log off after using a computer in order to protect sensitive Council material from non-employees.
- ✓ Save data to your home drive where it will be automatically backed-up for you.
- ✓ Ensure that files received from anywhere outside the organisation are virus checked before you open them. This includes files on CD, DVD or USB sticks.
- ✓ If you suspect that you may have a virus, leave your computer on, unplug the network cable and call our IT support team.
- ✓ Turn your PC and monitor off at night to save energy unless there is a specific reason to leave it on.

Things not to do

- ✗ Do not allow anyone else to use your computer while you are logged in.
- ✗ Never install software on your computer, unless you are specifically authorised to do so. This should normally only be done by our IT support team. Things that you should never attempt to install include but are not limited to:
 - Games

- Video or audio codecs
 - iTunes or other music download software
 - Instant messaging or communication software
 - Utilities that claim to remove spyware or viruses
 - News readers, ticker-tape services or 'Gadgets'
- ☒ Do not disable or uninstall any of the software that is installed on your computer
- ☒ Never connect your own devices to your Council computer. These include but are not limited to:
- USB memory devices (also known as pen drives or memory sticks)
 - MP3 players (including iPods)
 - Mobile phones and cameras

MOBILE DEVICES

Things to know

- ① You should read and understand this section even if you do not normally use a mobile device. You may need to do so at some point in the future.
- ① The term 'mobile device' covers any Council-owned mobile computing device including:
 - Laptop or tablet PCs
 - Tablets (also known as Pocket PCs, handhelds, PDAs or iPads)
 - Smartphones
- ① You are responsible for the care and safe storage of any computer equipment that has been issued to you.

Things to do

- ☑ Back up your work to the network at regular intervals
- ☑ Always consider the physical security of your mobile device:
 - **In an unlocked office:** Secured with a cable or kept in a locked drawer.
 - **In a vehicle:** Concealed from view. Ideally in a locked boot (put in there *before* arriving at your destination) or glove compartment.
 - **At home:** Ideally within a locked work area. Otherwise within a locked drawer.
 - **In a hotel:** Concealed from view. Ideally locked in a suitcase.
 - **Travelling:** Keep the device on your person and out of sight at all times

Things not to do

- ☒ Do not copy sensitive information onto mobile devices unless you have to.
- ☒ Do not view sensitive information on the train, plane or in any public area. This provides an opportunity for onlookers.

- ☒ Do not allow family, friends or anybody else to use the device.
- ☒ Do not leave mobile devices in a vehicle unless absolutely necessary.
- ☒ Never connect your device to an unsecured network.
- ☒ Do not use devices to take non-work related pictures and videos.

YOUR PASSWORD

Things to know

- ① You can change your password at any time (from the CTRL + ALT + DEL menu) not just when the system prompts you.
- ① If you need to grant shared access to files, a diary or e-mail account, this can be arranged by our IT support team. You do not need to share passwords.

Things to do

- ✓ Set a password or phrase. Make it as secure as you can by using some or all of the following techniques:
 - Use two unrelated words or a short phrase
 - Include at least one number
 - Include at least one upper case character
 - Include at least one symbol
- ✓ Change your password if you suspect that someone else may know it.
- ✓ If you have to write your password down:-
 - Keep it in your purse or wallet so that it is not left behind when you leave your desk
 - Try to obscure it in some way so that it is not easily recognisable as a password
 - Destroy it as soon as you have committed it to memory

Things not to do

- ☒ Do not use one of the most predictable passwords:
 - The word "password"
 - The name of a family member
 - The name of a pet
 - Your football team
 - A rude word
 - An item or brand name that you can see from your desk
- ☒ Do not disclose your password to anyone. Even IT staff do not need to know it.
- ☒ Do not use anyone else's password.

E-MAIL

Things to know

- ① The Council e-mail systems are provided for business use. Reasonable personal use is permitted.
- ① The Council monitors all e-mail to ensure compliance with policy.
- ① E-mail is not a secure method of communication. Once a message is sent you have no further control over who reads it.
- ① E-mail is admissible in court and carries the same weight as a letter on Council headed paper.

Things to do

- ✓ Use the same care when drafting an e-mail message as you would when writing a letter or memo on Council headed paper.
- ✓ Make sure that your message is concise, relevant and sent only to the people that need to read it.
- ✓ Use the telephone or face to face conversation instead of e-mail where this is possible and appropriate.
- ✓ Use your 'Out of Office Assistant' to let people know when you are away.

Things not to do

- ✗ Never open an attachment that you were not expecting. Even if you know the sender.
- ✗ Never click on a link within an e-mail message unless you know the sender and the purpose of the link.
- ✗ Never supply banking or payment details in response to an e-mail message. This is a well-known method of fraud. Your bank will never request security details by e-mail.
- ✗ Do not send or forward anything that:
 - Others may find offensive
 - May be defamatory (about an individual or organisation)
 - Is covered by a copyright
- ✗ Do not circulate non work-related material. This includes but is not limited to:-
 - Jokes
 - Chain letters
 - Virus warnings
 - Software
 - Music, pictures or video
- ✗ Do not use automatic forwarding rules.
- ✗ Do not disclose any information about a person that you would object to being disclosed about yourself.
- ✗ Never use e-mail to rebuke, criticise or complain about somebody. You may say

something that you regret, and the record will be permanent.

WEB BROWSING

Things to know

- ① Access to the web is provided for business use. Reasonable personal use is permitted.
- ① The Council monitors and records all web browsing to ensure compliance with policy.
- ① Access to certain web sites may be blocked in order to protect you and the organisation. This does not imply the suitability of sites that are not blocked. You must always use your discretion along with the guidance below when visiting web sites.

Things to do

- ✓ Inform our IT support team if access to a legitimate and business-related web site is blocked.
- ✓ Inform our IT support team if you believe you have a virus or spyware infection on your computer. This is a routine occurrence; it does not indicate irresponsible browsing, and you will not be disciplined. Do not attempt to remedy the infection yourself.

Things not to do

- ✗ Do not view or download anything that others may find offensive.
- ✗ Do not download anything that is likely to be covered by copyright. This includes, but is not limited to:
 - Music
 - Pictures
 - Software
- ✗ Do not stream web-based radio, television or video services, as these use a disproportionate amount of network resources.
- ✗ Do not visit the “high-risk” site categories shown below – including on Smartphones. Although their content appears to be free, it is often funded by installing spyware on your computer.
 - Free screensavers and smileys
 - Free music downloads or ringtones
 - Free software and serial numbers (also known as warez and cracks)
 - Adult material

PRINTING

Things to know

- ① Printers are provided for business use only.

Things to do

- ✓ Be selective about what you print. Print only when necessary and only the necessary pages of a document.
- ✓ Print double sided to save paper where possible.
- ✓ Keep the area around printers tidy.
- ✓ Always pick up what you have printed.

Things not to do

- ✗ Do not print to a colour printer unless colour conveys important information in your document that would be lost in black and white.
- ✗ Do not leave confidential print-outs in the printer where anyone can see them
- ✗ Do not resend your print job if nothing happens. Instead, check the following:
 - Is the print job still listed in the queue?
 - Did you send it to the right printer?
 - Is the printer switched on?
 - Is the printer in an error state because:-
 - There is paper jam
 - It is out of paper
 - It is out of toner or ink

PERSONAL USE

The Council recognises that personal access to e-mail and the web at work helps employees to maintain a positive work life balance.

Limited and 'reasonable' personal use of e-mail and the web is permitted. Reasonable use is defined below. Personal use of all other systems is prohibited.

E-mail and web access for personal use have been provided at considerable risk and cost to the organisation. The Council asks that employees make sensible and conscientious use of these facilities in return.

The web has the power to distract even the most conscientious worker. It is easy to spend more time than you intend to on 'addictive' sites like, social networking, blogging, auctions and gaming.

All e-mail and web access is monitored to ensure compliance with policy. Employees that choose to make personal use of Council systems do so in acceptance of the monitoring measures outlined in this policy.

Personal use of these systems is a privilege. The Council reserves the right to withdraw it either individually or globally at any time without notice or explanation.

Reasonable Use

Reasonable personal use of Council systems is that which:

- ✓ Is lawful and ethical.
- ✓ Is in accordance with this policy.
- ✓ Takes place during authorised breaks or outside of your working hours.
- ✓ Does not adversely affect your productivity.
- ✓ Does not make unreasonable use of limited Council resources.

Unreasonable Use

Unreasonable personal use of Council systems includes but is not limited to:

- ✗ Contravention of this policy in any way, including but not limited to the sending, viewing or downloading of:
 - Material that others may find offensive
 - Unauthorised software
 - Material covered by copyright, such as music, videos or games
- ✗ Personal use that can reasonably be described as excessive within the context of a professional working environment.
- ✗ Activities for personal financial gain or for business other than that of the Council and its associated businesses.

LEGAL RESPONSIBILITIES

Things to know

- ① You are personally responsible for ensuring that your use of information systems is lawful. Failure to do so may result in any or all of the following:
 - You being personally liable to criminal prosecution.
 - You being personally sued for damages in a civil court.
 - The Council being personally liable to criminal prosecution.
 - The Council being sued for damages in a civil court.

Things to do

- ✓ Comply with software licences, copyrights and all other laws governing intellectual property.
- ✓ If you process personal data (data that identifies a living individual) in the course of your work, you must do this in accordance with the General Data Protection Regulation 2018. Your line manager can provide you with job-specific guidance on these.
- ✓ If you process card payments in the course of your work, you must do this in accordance with the Payment Card Industry Data Security Standard (PCI DSS). Your line manager can provide you with job-specific guidance on handling payment card

data.

- ☑ On leaving the Council's employment, and at any other time at management request, you are required to hand in all Council information and data held in computer-useable format.

Things not to do

- ☒ Do not borrow or copy Council software for use at home or elsewhere.
- ☒ Do not write or say anything defamatory or potentially libellous about another individual or company.

MONITORING

The Council reserves the right, but not the duty, to monitor any and all aspects of its electronic resources. This includes data, email and voice mail boxes, and other Council-provided electronic storage systems. It also reserves the right for business and security purposes to audit and monitor the information on all systems, electronic mail, telephone and information stored on computer systems or media, without advance notice. It also reserves the right to retrieve the contents of any employee communication in these systems.

This process is in place to maintain the integrity of the Council's electronic systems, the rights of the other users, and to ensure compliance with policies and obligations.

You should have no expectation of privacy when using the Council information systems, whether for business or personal use.

Employees should be aware that telephone calls made and received on the Council's telephone network maybe recorded to assess employee performance, to ensure customer satisfaction and to check that the use of the telephone system is not being abused or used in an unauthorised manner. In addition, an itemised call log may be maintained and retained of all external calls made and received on the Council's telephone network. This may include details of the external caller's number and the date, time and duration of the call.

Monitoring of systems is carried out in order to:

- Detect and prevent unlawful use of systems
- Detect and prevent misuse of Council systems
- Maintain the effective operation of systems
- Protect the reputation of the Council
- Protect the Council from legal liability

Raw monitoring data will be viewed and analysed only by the IT support team and their nominated representatives.

On instruction of the IT support team, the data may be passed as necessary to any of the following:

- The Staffing Committee
- The appropriate line manager
- The Police

ENFORCEMENT

Breach of this policy will invoke the organisation's disciplinary process.

Serious or persistent breaches may constitute gross misconduct and result in dismissal.

12 SOCIAL MEDIA / NETWORKING GUIDELINES

Whether or not an employee of the Council chooses to create or take part in a blog, wiki, online social network or any other form of online publishing or discussion is their own decision. However, we support our employees' responsible involvement in this rapidly growing space of relationship, learning and collaboration.

DOs

- You are personally responsible for the content you publish on blogs, wikis or any other form of user-generated media. Remember that what you publish will be public for a long time – protect your privacy.
- Identify yourself – name and, when relevant, role at the Council – when you discuss the Council or Council-related matters. Write in the first person. You must make it clear that you are speaking for yourself and not on behalf of the Council.
- If you publish content to any website outside of the Council and it has something to do with work you do or subjects associated with the Council, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the Council's positions, strategies or opinions."
- Respect copyright, fair use, confidentiality and financial disclosure laws.
- Respect your audience. Avoid ethnic slurs, personal insults, obscenity, and do not engage in any conduct that would not be acceptable in the Council's workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory – such as politics and religion.
- Be aware of your association with the Council in online social networks. If you identify yourself as a staff member, ensure your profile and related content is consistent with how you wish to present yourself with colleagues and clients.
- Try to add value. Provide worthwhile information and perspective. The Council's brand is best represented by its people and what you publish may reflect on the Council's brand.

DON'Ts

- Don't pick fights. Be the first to correct your own mistakes, and don't alter previous posts without indicating that you have done so.
- Don't include personal information or data about the Council's employees, clients, customers, contractors or suppliers without their express consent (an employee may still be liable even if employees, clients, customers, contractors or suppliers are not expressly named in the websites or blogs as long as the Council reasonably believes they are identifiable) – this could constitute a breach of the General Data Protection Regulation 2018 which is a criminal offence.
- Don't make any derogatory, offensive, discriminatory, untrue, negative, critical or defamatory comments about the Council, its employees, clients, customers, contractors or suppliers (an employee may still be liable even if the Council, its employees, clients, customers, contractors or suppliers are not expressly named in the websites or blogs as long as the Council reasonably believes they are identifiable).

- Don't make any comments about the Council's employees that could constitute unlawful discrimination, harassment or cyber-bullying contrary to the Equality Act 2010 or post any images or video clips that are discriminatory, or which may constitute unlawful harassment or cyber-bullying – employees can be personally liable for their actions under the legislation.
- Don't disclose any trade secrets or confidential, proprietary or sensitive information belonging to the Council, its employees, clients, customers, contractors or suppliers or any information which could be used by one or more of the Council's competitors, for example information about the Council's work, its products and services, technical developments, deals that it is doing or future business plans and staff morale. Ask permission to publish or report on conversations that are meant to be private or internal to the Council.
- Don't breach copyright or any other proprietary interest belonging to the Council, for example, using someone else's images or written content without permission or failing to give acknowledgement where permission has been given to reproduce particular work. If you wish to post images, photographs or videos of your work colleagues or clients, customers, contractors or suppliers on your online profile, you should first obtain the other party's express permission to do so.
- Don't cite or reference clients, partners or suppliers without their approval. When you do make a reference, where possible link back to the source.
- Don't publish any details about children that would be in contravention of the child protection section of your licence if applicable.
- Don't become an internet "friend" of any clients under 16.

In general, what you do on your own time is your affair. However, activities in or outside of work that affect your job performance, the performance of others, or the Council's business interests are a proper focus for Council policy.

Only those officially designated by the Council are allowed to speak on behalf of the Council.

The Council trusts and expects employees to exercise personal responsibility whenever they take part in social media. This includes not violating the trust of those with whom they are engaging, whatever the age.

You must remove any offending content immediately if you are asked to do so by the Council.

Posting of negative comments about the business on all forms of social media will be viewed as gross misconduct.

You should remember that social media websites are public fora, even if you have set your account privacy settings at a restricted access or "friends only" level, and therefore you should not assume that your postings on any website will remain private.

You should also be security conscious when using social media websites and should take appropriate steps to protect yourself from identity theft, for example by placing your privacy settings at a high level and restricting the amount of personal information you give out, e.g. date and place of birth. This type of information may form the basis of

security questions and/or passwords on other websites, such as online banking.

Should you notice any inaccurate information about the Council online, you should report this to your line manager in the first instance.

Where you are authorised to contribute to the Council's own social media activities as part of your work, for example for marketing, promotional and recruitment purposes, you must adhere to the following rules:

- Use the same safeguards as you would with any other type of communication about the Council that is in the public domain
- Ensure that any communication has a purpose and a benefit for the Council
- Obtain permission from your line manager before embarking on a public campaign using social media
- Request your line manager to check and approve content before it is published online
- Follow any additional guidelines given by the Council from time to time.

In addition, such social media accounts which are operated for business purposes (and their contents) belong to the Council and therefore these accounts used by an employee during employment may not be used after termination of employment.

You must also surrender all login and password details for accounts run on the Council's behalf or where an account has been used to promote and/or market the Council's business activities on the termination of employment or whenever so requested by the Council.

Work and business contacts made during the course of employment through social media websites (such as the names and contact details of existing or prospective customers, clients and suppliers) and which are added to personal social and business networking accounts (in particular to LinkedIn), or which are stored on the Council's computer system, amount to confidential information belonging to the Council and accordingly must be surrendered on termination of employment.

If you have a LinkedIn profile then you must ensure that, whenever your profile relates to your employment with us:

- It is accurate.
- It does not divulge confidential or sensitive material, or material which might damage the reputation of the Council.
- You refer to the Council and your employment in a way which is respectful.

On termination of employment or once notice to terminate employment has been given, you must, on request, disclose to the Council a full list of all work and business contacts that you hold on all devices or on all social and business networking accounts. The Council may then require you to delete any or all such work and business connections from your devices (including from personal devices) or from your social or business networking account, not keep copies of the same and not reconnect with those connections for a period of six months from termination of employment. The Council

may also require written confirmation from you that these provisions have been complied with.

SOCIAL MEDIA MONITORING

The Council reserves the right to monitor employees' use of social media on the Internet, both during routine audits of the computer system and in specific cases where a problem relating to excessive or unauthorised use is suspected. The purposes for such monitoring are to:

- Promote productivity and efficiency
- Ensure the security of the system and its effective operation
- Make sure there is no unauthorised use of the Council's time
- Ensure that inappropriate, restricted or blocked websites are not being accessed by employees
- Make sure there is no breach of confidentiality.

The Council reserves the right to restrict, deny or remove Internet access, or access to particular social media websites, to or from any employee.

CONTRAVENTION OF THIS POLICY

Failure to comply with any of the requirements of this policy is a disciplinary offence and may result in disciplinary action being taken under the Council's disciplinary procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in your summary dismissal.

13 MOBILE EQUIPMENT

This policy covers the use of laptops and mobile phones. If provided by the Council it also covers the allocation of these devices, and their use by employees. Where provided by the Council, these devices represent a significant expense, and it is important that you are familiar with this policy. Failure to comply with this policy could result in action under the Council's Disciplinary Policy. All mobile devices provided to you by the Council are to be returned to the Council on termination of employment.

CARE OF EQUIPMENT

Mobile telephone and laptop users will be responsible for taking reasonable care of their equipment and associated accessories. Be wary of common scams at airport security checkpoints and other public places. Avoid leaving your equipment in a vehicle, but if you have to, place it in the boot **prior to your arrival** and ensure that the boot is locked. The Council's insurance will not pay out for equipment stolen from a vehicle which was not locked in the boot.

The Council may remove your right to use a Council mobile telephone or laptop if it is abused. Council equipment should not be lent to anyone else (including family members).

USAGE OF COUNCIL MOBILES

All Council phone bills will be monitored, and excessive usage may require justification. The Council allocates mobile telephones to its employees as business tools to help them to perform their jobs effectively and they should be used primarily for business calls.

The Council accepts that employees may make some private use of mobile telephones, but you are requested to keep this to a minimum – this also applies to text messaging and data. See mobile phone usage policy below. Council mobile phones should only be used to make calls to premium rate numbers where the nature of the call relates to Council business. You should be aware that roaming charges when abroad may be very high and you should bear this in mind when making and receiving calls or using data. Unless required for urgent business matters, data roaming should be turned off and free wireless networks used as an alternative.

You must not use a hand-held mobile telephone while driving. You may only use a Council hands-free mobile telephone when it is safe to do so, and you must comply at all times with all applicable legal requirements including the Highway Code.

You must not use a Council mobile telephone for any illegal or immoral activity.

Loss or Damage to Mobile Telephones:

The loss or theft of a Council mobile telephone must be reported immediately to your line manager.

Stolen/lost mobile telephones should also be reported to the Police and a Police statement supplied for insurance purposes. A crime report number will ensure a FOC replacement. Unjustified delay or failure to report the loss or theft of a mobile phone

could result in subsequent call charges being re-charged to you.

Stolen/lost mobile telephones will be replaced with a suitable model. You may be held responsible at the Council's discretion for the cost of the replacement unit and SIM card if the loss or theft results from your negligence or from a clear failure to comply with this policy.

Damaged phones will be repaired. You may be held responsible at the discretion of the Council for the cost of the repairs, where the damage results from your negligence or from a clear failure to comply with this policy.

The Council reserves the right to monitor Council mobiles phones, both during routine audits and in specific cases where a problem relating to excessive or unauthorised use is suspected. The purposes of such monitoring include checking that the use of the Council's mobile telephone network is not being abused or used in an unauthorised manner, ensuring there is no unauthorised use of the Council's time and ensuring that inappropriate websites are not being accessed from Council mobile phones. Therefore, in relation to Council mobile phones, the Council reserves the right to obtain an itemised list from the mobile phone service provider of all outgoing calls made on the mobile phone.

This list may include details of each number called, the date, time and duration of each call and the cost of each call. In addition, the Council reserves the right to obtain an itemised list from the mobile phone service provider of all outgoing text messages sent from the mobile phone. This list may include details of each number texted, the date and time of each text message and the cost of each text message.

Where exceptional circumstances warrant it, the Council may also ask the mobile phone service provider to provide access to the actual content of text messages.

Where applicable, the Council may request Internet access records from the mobile phone service provider, including websites visited and the amount of mobile data used.

The Council reserves the right to recover costs from you where excessive private use results in additional charges being billed to the Council.

MOBILE PHONE USAGE ON COMPANY PREMISES

AIMS OF THIS POLICY

- To inform employees about our policy within the workplace
- To protect employees from danger caused by distraction
- To uphold standards of quality.

ESSENTIAL ELEMENTS

- Personal use of mobile phones is considered unrelated to work.
- Whilst the Council will tolerate the use of mobile phones for essential personal calls during normal working hours, excessive use for personal calls or messaging is prohibited.

- Also prohibited are lengthy calls, casual chats, text messaging, e-mailing and web browsing (if your phone is so enabled).
- If you have a Council-issued mobile phone, you must not take any pictures/video on it that you would not be happy your line manager seeing.
- Unless required in your role, your private mobile phone should be set to a silent ring during normal working hours.
- Personal use of your mobile phone should be done outside your normal working hours, i.e. in your breaks.
- If you have a mobile phone allowance, your phone must be charged, with unlimited minutes (or minutes remaining) and kept on your person at all times whilst at work, with an audible ringtone.

MOBILE PHONE USAGE & DRIVING

AIMS OF THIS POLICY

- To inform employees about the law banning the use of mobile phones while driving
- To protect employees from possible prosecution for using a mobile phone while driving a motor vehicle
- To inform and educate employees about the responsible use of mobile phones in vehicles

WHO DOES THIS POLICY APPLY TO?

- This policy is applicable to all employees who use Council vehicles, their own private vehicles or rental vehicles for work purposes.

ESSENTIAL ELEMENTS

Legislation came into force on 1 December 2003, which made it illegal to use a handheld mobile phone while driving a motor vehicle (whether it is a bike, car, van, lorry etc.), even whilst stationary at traffic lights. As well as making it illegal for drivers to use mobile phones on the move, it also prohibits employers from requiring or encouraging employees to make or receive calls while driving. Therefore, the Council would like to ensure that you understand that:

- You are under no obligation to make or receive telephone calls while driving
- Handheld mobile phones should never be used while driving (please see code of conduct),
- You should only use hands-free kits

For further information:

<https://www.gov.uk/using-mobile-phones-when-driving-the-law>

BEST PRACTICE

While it is not required by legislation, the Council would advise the following 'best practice' guidelines:

- Mobile phones should be switched to voice mail when the user is driving
- Only emergency calls should be made / received when on the move
- You are advised to avoid calling colleagues when you are travelling to and from meetings
- You are encouraged to only make or receive calls – even with a hands-free kit – when you are safely parked away from the road

NB. The Highway Code states the following:

Avoid distractions when driving or riding such as:

- Loud music (this may mask other sounds)
- Trying to read maps
- Inserting a cassette or CD or tuning a radio
- Arguing with your passengers or other road users
- Eating and drinking
- Smoking

If the Police think that you have been driving without due care and attention, then if you were doing any of the above you could have to pay a large penalty.

BE WARNED – you will not be able to claim a penalty back on expenses.

14 COMMUNICATIONS

POLICY STATEMENT

It is the Council's firm belief that efficiency, high productivity and a harmonious working environment are best achieved where effective communications are established between management and employees. In order to achieve this, systems will be set-up and maintained by management to facilitate the flow of information throughout the organisation both from management to employees and vice versa.

PROCEDURE

Job Related Information – Managers are responsible for ensuring that their employees are provided with all the information they need to perform their duties satisfactorily and safely. Details of your terms and conditions of employment are contained in the following documents:

- Offer letter
- Terms and conditions statement (Contract)
- Employee handbook containing Council rules and procedures
- Job description (if any)
- Annual appraisal

Management is responsible for keeping these items up-to-date and for distributing amendments and additions when necessary.

Supervisors are responsible for explaining procedures to be followed when operating electrical equipment, completing documentation etc.

General guidance on health and safety matters will be provided to you. Managers are responsible for supplying information to employees on safe working practices and particular hazards in their own departments.

If you have any queries relating to the work you are required to carry out, these should be raised with your line manager or the Staffing Committee.

15 LEAVING THE COMPANY

This policy applies to employees leaving the Council following either resignation or other termination of employment for example, dismissal, mutual agreement or end of fixed term contracts.

RESIGNATION

The notice period required from you and the Council is specified in your employment contract. We request that you give your resignation in writing, providing the correct amount of notice as specified in your employment contract.

RETURN OF COUNCIL PROPERTY

Prior to your leaving date you must return all Council property to the Clerk. This includes (where applicable): All books, documents, papers (including copies), credit cards, keys, computer equipment, disks, laptops, mobile telephones, vehicles and any other property which belongs to the Council or which contains or refers to any confidential information. Where this information is in electronic form you must return any equipment containing such information and delete it from the hard drive of any personal computer, laptop or any other storage device owned or operated by you.

It is your responsibility to return office equipment to the Council in a useable condition, whether this is by demand of the Council or in the event of the termination of your employment for any reason. You agree that failure to do so will entitle the Council to withhold any wages/salary due from the Council to you up to the current market value of the equipment not returned, returned in need of repair or not in a useable condition.

Any office equipment is provided for the exclusive use by you in connection with your employment with the Council. Use of the office equipment for personal and private purposes or for any use other than for the Council's business is prohibited. If you are discovered using the equipment for personal or private purposes, this is a disciplinary matter and will be dealt with under the Council's disciplinary procedure. A deliberate, negligent or reckless failure to take proper care of an item of office equipment, resulting in it being lost, damaged or stolen, is also a disciplinary offence and will again be dealt with in accordance with the Council's disciplinary procedure.

WORK DURING NOTICE PERIOD

During the notice period, where you hold a position dealing with highly sensitive information e.g., pricing/sales, or access to business sensitive information we reserve the right to reassign these activities to others during your notice period, and to ask you to undertake other duties appropriate to the level of the job. Alternatively, you may be required to undertake "gardening leave" as detailed in your contract of employment.

FINAL PAY

The Council has the right to deduct from your pay any sums that you owe the Council at any time, and in particular on leaving employment. For the purposes of the Employment Rights Act 1996, this includes the right to deduct:

- Loans made to you by the Council
- Any money due to the Council from you
- Deduction for any holiday pay taken in excess of your entitlement at date of leaving
- Deduction for any sick pay paid in excess of your entitlement
- Over payment of any expenses
- Over payment of any other payment made to you by the Council
- Any money requested by you in writing to be deducted.
- Losses suffered by the Council as a result of your negligence, or breach of organisation rules including non-return or loss of Council property provided to you to assist you in performance of your duties. Failure to return property may result in a deduction from any final payment due to you and delay the completion of leaving formalities.

16 SHORT TIME WORKING / LAYOFF / FURLOUGH & REDUNDANCY

It is the Council's intention to develop and expand its business and to provide security of employment for its employees. However, circumstances may arise when changes in the market, technology, organisational requirements, or similar developments, will lead to the need for reductions in staff.

SHORT TIME WORKING / LAYOFF / FURLOUGH

The Council reserves the right to lay you off, put you on furlough or put you on short time working where the needs of the Council make this necessary, for example because there is a temporary cessation of or reduction in work or a temporary closure of the workplace. You will be notified of the layoff, furlough or short time working, the date when it will start and how long it is anticipated to last for. The position will then be kept under regular review by the Council.

In the event that you are laid off or put on short time working, your entitlement to pay on workless days in that period of lay-off or short time working will cease and instead, if you qualify, you will be paid guarantee payments at the prevailing statutory rate during that period. Guarantee payments are paid for a maximum of the first five workless days within a three-month period.

In the event you are furloughed your entitlement to pay will be governed by any government furlough rules in place at that time.

Your continuity of employment will not be affected by a lay-off, furlough or short time working.

REDUNDANCY

Where a redundancy situation arises, consideration will be given to alternative options, including:

- Imposing a restriction on recruitment
- Restricting the use of temporary and casual employees
- The implementation of temporary lay-off or short-time working where this is appropriate
- Considering applications for voluntary redundancy

Where, after consideration of these and any other alternatives, management considers that the need for redundancies still remains, consultation will take place.

Selection for redundancy will be based on criteria drawn up at the time and may include, but may not necessarily be limited to, some or all of the following:

- Suitability for remaining work

- Experience/qualifications
- Conduct
- Attendance
- Service length

These criteria may be differently weighted depending on the circumstances but will be assessed in an objective manner. The above criteria are subject to the Council's requirement to retain specific knowledge, skills, and a balanced workforce at all times. The Council reserves the right to introduce short-time working or a period of temporary lay-off without pay where this is necessary to avoid redundancies or where there is a shortage of work.

17 RETIREMENT

Since April 2011, there is no longer a Default Retirement Age. You will not be automatically “retired” when you reach 65.

If you wish to stop working, you will need to resign in the normal way.

18 STATUTORY RIGHTS TO TIME OFF

You have the right to request time off work in the following circumstances:

TIME OFF FOR PUBLIC DUTIES

You are entitled to ask for time off work for specified public duties. There is no statutory right to be paid for this time off. The amount of time off is that which is reasonable in the circumstances.

The public offices which qualify in respect of this provision are as follows:

- Justice of the Peace
- Members of a Local Authority i.e. Local Councillor
- Members of a Statutory Tribunal
- Members of a Police Authority
- Members of the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad
- Members of a board of prison visitors or a prison visiting committee
- Members of a relevant health body (NHS Trusts, Health Authorities, Health Boards)
- Members of a relevant education body (managing or governing bodies of local authority educational establishments, grant maintained schools, school councils, self-governing schools, colleges of further education, central institutions)
- Members of the Environment Agency or the Scottish Environment Protection Agency
- Members of a relevant Scottish water and sewerage authority
- Lay observers
- Members of Immigration Visiting Committees
- Members of Short-Term Holding Visiting Committees

TIME OFF IN REDUNDANCY SITUATIONS

You are entitled to a reasonable amount of time off to look for other work or make arrangements for retraining if you are under notice of dismissal for redundancy.

You must have completed two years' continuous employment to qualify for this right.

TIME OFF FOR SAFETY REPRESENTATIVES

Under the Health and Safety at Work Act 1974 a recognised trade union may appoint, or employees may elect, safety representatives from among the employees. These representatives are entitled to carry out relevant activities during what would otherwise be normal working hours.

TIME OFF FOR DEPENDANTS

You are entitled to take reasonable unpaid time off to deal with sudden and unexpected problems with a dependant. A dependant is a partner, child or parent who lives with you as part of your family or other any person who reasonably relies on you for assistance.

Reasonable time off will be granted e.g., in the following circumstances:

- To provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted;
- To make arrangements for the provision of care for a dependant who is ill or injured;
- In consequence of the death of a dependant;
- Because of the unexpected disruption or termination of arrangements for the care of a dependant; or
- To deal with an incident which involves a child of yours and which occurs unexpectedly in a period during which an educational establishment which the child attends is responsible for them.

You are required to inform the Council as soon as practicable of your absence, the reason for it and how long you expect to be away from work.

The purpose is primarily to enable you to make **arrangements for care**, and thus only to provide care when the immediate crisis arises. The amount of time that will be granted will depend on what is reasonable but is generally expected to be no more than one or two days in most situations.

AUTHORISED TIME OFF – JURY SERVICE

You are entitled to paid time off work to fulfil your obligations with regard to Jury Service. You should notify management immediately on receipt of the Jury Summons giving full details.

You will ensure that an expenses claim is submitted to the court in accordance with the available allowances for travelling, subsistence, and your financial loss. You will claim the allowance and repay the allowance to the Council.

<https://www.gov.uk/jury-service/what-you-can-claim>

19 MATERNITY LEAVE AND PAY POLICY

Pregnant employees, and employees who have recently given birth, have a variety of rights under current legislation. This area of law is very complex, and the following sections provide only a general guide. Please also visit this website:

<https://www.gov.uk/maternity-leave>

INTRODUCTION

This section sets out the statutory rights and responsibilities of employees who are pregnant or have recently given birth and covers the arrangements for ante-natal care, pregnancy-related illness, maternity leave and pay. The Council implements the maternity rights set out in legislation.

The following abbreviations are used in this section:

EWC	Expected Week of Childbirth - the week, starting on a Sunday, in which your doctor or midwife expects you to give birth.
SMP	Statutory Maternity Pay.
QW	The Qualifying Week for SMP - the 15th week before the EWC.

MATERNITY RIGHTS

You have the following key maternity rights:

- Time off for ante-natal care
- Maternity pay - linked to your level of earnings
- Maternity leave.

NOTIFICATION OF PREGNANCY

On becoming pregnant, you should notify your line manager as soon as you feel able to do so. This is important because there are health and safety considerations for the Council.

By the end of the Qualifying Week, or as soon as reasonably practicable afterwards, you are required to provide the following information in writing to the Council:

- That you are pregnant
- Your EWC
- The date on which you intend to start your maternity leave.

In addition, you will need to provide your line manager with a MATB1 certificate. The MATB1 is issued by your doctor or midwife and it states when your baby is due. The certificate must have either your doctor's name and address on it or, if issued by a midwife, their name and registration number.

You are permitted to bring forward your maternity leave start date, provided you advise the Council in writing at least 28 days before the new start date or, if that is not possible,

as soon as reasonably practicable. You may also postpone your maternity leave start date, provided you advise the Council in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

The Council will formally respond in writing to your notification of your leave plans within 28 days, confirming the date on which you are expected to return to work if you take your full 52-week entitlement to maternity leave.

TIME OFF FOR ANTE-NATAL CARE

Once you have advised the Council that you are pregnant, you are entitled to take reasonable time off work with pay to attend the ante-natal clinic and other ante-natal appointments made on the advice of your doctor, registered midwife or registered health visitor. Ante-natal care may include relaxation and parent craft classes that your doctor, midwife or health visitor has advised you to attend, as well as medical examinations.

In order to be entitled to take time off for ante-natal care, you are required to produce a medical certificate from one of the above, stating that you are pregnant. Except in the case of your first appointment, you should also produce evidence of the appointment, such as an appointment card, to your line manager. You must endeavour to give your line manager as much advance notice as possible of ante-natal appointments and you should try to arrange them as close to the start or the end of your working day as possible.

IF YOUR PARTNER IS PREGNANT

If you are the spouse, civil partner or you live with a partner (who is not your relative) in an enduring family relationship, or you are the father of the expected baby, you are entitled to take unpaid time off work in order to accompany your partner to an antenatal appointment made on the advice of a registered medical practitioner, registered midwife or registered nurse. This is limited to a maximum of two appointments, with the maximum time off during working hours for each appointment being no more than 6.5 hours. We may request you to sign a declaration in this regard which states that you have a qualifying relationship with your partner or the expected baby, that you are taking the time off to accompany your partner to an antenatal appointment made on the advice of a registered medical practitioner, registered midwife or registered nurse and the date and time of the appointment. No evidence of the pregnancy or the antenatal appointment needs to be provided. This right also applies to the intended parent of a baby due to a surrogate mother, if you are the potential applicant for a parental order.

HEALTH AND SAFETY

The Council has a duty to take care of the health and safety of all employees. We are also required to carry out a risk assessment to assess the workplace risks to anyone who is pregnant, has recently given birth or is breastfeeding. The Council will provide you with information as to any risks identified in the risk assessment. If the risk assessment reveals that you would be exposed to health hazards in carrying out your normal job duties, the Council will take such steps as are reasonably necessary to avoid those risks, such as altering your working conditions. In some cases, this may mean offering you suitable alternative work (if available) on terms and conditions which are not substantially less favourable.

If it is not possible for the Council to alter your working conditions to remove the risks to your health and there is no suitable alternative work available to offer you on a temporary basis, the Council may suspend you from work on maternity grounds until such time as there are no longer any risks to your health. This may be for the remainder of your pregnancy until the commencement of your maternity leave. If you are suspended in these circumstances, your employment will continue during the period of the suspension and it does not in any way affect your statutory or contractual employment and maternity rights.

SICKNESS ABSENCE

If you are absent from work during your pregnancy due to sickness, you will receive sick pay in the same manner as any other sickness absence provided that you have not yet begun ordinary maternity leave. If, however, you are absent from work due to a pregnancy-related illness after the beginning of the 4th week before the EWC but before the date you have notified, or before you have notified a date, on which you intend to commence your maternity leave, then your maternity leave will usually begin automatically on the day after the first day of your absence. You must notify the Council that you are absent from work wholly or partly because of pregnancy as soon as is reasonably practicable and, until your maternity leave commences, you are still required to comply with the reporting procedure set out in the section on Sickness Absence.

MATERNITY LEAVE

All pregnant employees are entitled to take up to 26 weeks' ordinary maternity leave and up to 26 weeks' additional maternity leave, making a total of 52 weeks. This is regardless of the number of hours worked or length of service. Additional maternity leave begins on the day after ordinary maternity leave ends.

Ordinary maternity leave can start at any time after the beginning of the eleventh week before your EWC (unless your child is born prematurely before that date). Maternity leave will start on whichever date is the earlier of:

- Your chosen start date
- The day after you give birth
- The day after any day on which you are absent for a pregnancy-related reason in the four weeks before the EWC.

If you give birth before your maternity leave was due to start, you must notify the Council in writing of the date of the birth as soon as reasonably practicable.

The law requires all employees to take a minimum of two weeks of compulsory maternity leave immediately after the birth of their child (four weeks for factory workers). During this period, you must not undertake any work for the Council which includes doing any work from home.

ORDINARY MATERNITY LEAVE

During the period of ordinary maternity leave, your contract of employment continues in force and you are entitled to receive all your contractual benefits, except for salary. In particular, any benefits in kind will continue, annual leave entitlement will continue to accrue and pension contributions will continue to be made. Salary will be replaced by statutory maternity pay (SMP) if you are eligible to receive it. On resuming work after maternity leave, you will be entitled to benefit from any general pay increases that may have been awarded in your absence.

If you take part in a defined contribution pension scheme: Your pension contributions will be based on the amount of actual pay you are receiving whilst the Council's contributions will be based on the salary you would have received had you not gone on maternity leave (i.e. it will continue to make any employer contributions that it usually makes). You may wish to increase your own contributions to make good any shortfall whilst you are in receipt of less than your usual salary.

You should endeavour to take any outstanding annual leave that may be due to you before the commencement of your ordinary maternity leave. You are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during maternity leave, you should take the full year's entitlement before starting your maternity leave: see the section on Holidays for further information.

ADDITIONAL MATERNITY LEAVE

During the period of additional maternity leave, your contract of employment continues in force and, as is the case during the period of ordinary maternity leave, you are entitled to receive all your contractual benefits, except for salary. Any benefits in kind will continue and annual leave entitlement will continue to accrue. Salary will be replaced by statutory maternity pay (SMP) for the first 13 weeks of additional maternity leave if you are eligible to receive it. The remaining 13 weeks of additional maternity leave will be unpaid.

If you take part in a defined contribution pension scheme: During the period of paid additional maternity leave (i.e., when you are still receiving SMP), your pension contributions will be based on the amount of actual pay you are receiving whilst the Council's contributions will be based on the salary you would have received had you not gone on maternity leave. You may wish to increase your own contributions to make good any shortfall whilst you are in receipt of less than your usual salary. However, unless the pension scheme rules or your contract of employment provide otherwise, the Council will not make contributions during any period of unpaid additional maternity leave. Subject to the pension scheme rules, you may make member contributions during this time.

STATUTORY MATERNITY PAY

SMP is payable for up to 39 weeks during your maternity leave. You are entitled to SMP if:

- You have been continuously employed by the Council for at least 26 weeks at the end of the QW and you are still employed during that week

- Your average weekly earnings in the eight weeks up to and including the QW are not less than the lower earnings limit for National Insurance contributions
- You are still pregnant eleven weeks before the start of your EWC (or have already given birth)
- You provide a MAT B1 certificate stating your EWC
- You give the Council proper notification of your pregnancy in accordance with the rules set out above.

For the first six weeks, SMP is paid at the higher rate, which is equivalent to 90% of your average weekly earnings calculated over the period of eight weeks up to and including the QW. For the purpose of calculating average weekly earnings, shift allowances, on-call allowance, over-time payments, bonuses and commission are all included.

The standard rate of SMP is paid for the remaining 33 weeks (or less if you decide to return to work sooner). This is paid at a rate set by the Government for the relevant tax year: <https://www.gov.uk/maternity-pay-leave/pay>, or 90% of your average weekly earnings calculated over the period of eight weeks up to and including the QW if this is lower than the Government's set weekly rate.

If you become eligible for a pay rise between the start of the original calculation period and the end of your maternity leave (whether ordinary or additional maternity leave), the higher or standard rate of SMP will be re-calculated to take account of your pay rise, regardless of whether SMP has already been paid. This means your SMP will be re-calculated and increased retrospectively, or that you may qualify for SMP if you did not previously. You will be paid a lump sum to make up any difference between SMP already paid and the amount payable as a result of the pay rise.

SMP is paid into your bank account in the same way as salary is normally paid. SMP is treated as earnings and is therefore subject to income tax and National Insurance deductions.

Payment of SMP cannot start prior to the eleventh week before your EWC. SMP can start from any day of the week in accordance with the date you start your maternity leave. SMP is payable whether or not you intend to return to work after your maternity leave. It is important for maternity pay purposes that you notify your line manager if, during the maternity pay period, you are taken into legal custody or start to work for another employer.

If you have been working for the Council for less than 26 weeks at the QW, you are not eligible to receive SMP. You may, however, be able to apply to the Department of Work and Pensions for Maternity Allowance if you meet their qualifying conditions.

ADDITIONAL MATERNITY PAY

Payments for employees who have less than 1 year's continuous local government service at the beginning of the 11th week before the EWC shall be the employee's entitlement to Statutory Maternity Pay (SMP), where eligible.

Payments for employees who have completed 1 year's continuous local government service at the 11th week before the EWC shall be as follows:

- For the first six weeks of absence an employee shall be entitled to nine-tenths of a week's pay offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP.
- An employee who declares in writing that she intends to return to work will for the subsequent 12 weeks' absence receive half a week's pay plus SMP, where eligible, without deduction except by the extent to which the combined pay and SMP (or MA and any dependant's allowances if the employee is not eligible for SMP) exceeds full pay. Alternatively, the equivalent amount (i.e., 6 weeks' pay) may be paid on any other mutually agreed distribution.

For the remainder of the maternity leave period the employee will receive their entitlement to SMP currently 39 weeks in total), where eligible.

- For employees not intending to return to work, payments during their maternity leave period following the first 6 weeks will be their entitlement to SMP (currently 39 weeks in total), where eligible.
- Payments made by the authority during maternity leave under (ii) above shall be made on the understanding that the employee will return to local authority employment for a period of at least three months, which may be varied by the local authority on good cause being shown and, in the event of her not doing so, she shall refund the monies paid, or such part thereof, if any, as the authority may decide. Payments made to the employee by way of SMP are not refundable.

CONTACT DURING MATERNITY LEAVE

Shortly before your maternity leave starts, the Council will discuss the arrangements for you to keep in touch during your leave, should you wish to do so. The Council reserves the right in any event to maintain reasonable contact with you from time to time during your maternity leave. This may be to discuss your plans for return to work, to discuss any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence.

KEEPING IN TOUCH DAYS

Except during the first two weeks from childbirth, you may agree to work for the Council for up to a maximum of ten days during either your ordinary or additional maternity leave without that work bringing the period of your maternity leave to an end and without loss of a week's SMP. These are known as "keeping in touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

The Council has no right to require you to carry out any work, and you have no right to undertake any work, during your maternity leave. Any work undertaken, including the amount of salary paid for any work done on keeping in touch days, is entirely a matter for agreement between the Council and you. Any keeping in touch days worked do not extend the period of your maternity leave. Once the keeping in touch days have been used up, you will lose a week's SMP for any week in which you agree to work for the Council.

RETURNING TO WORK

You will have been formally advised in writing by the Council of the date on which your maternity leave will end and the date on which you are expected to return to work if you take your full 52-week entitlement to maternity leave. You are expected to return on this date, unless you notify the Council otherwise. If you are unable to attend work at the end of your maternity leave due to sickness or injury, the Council's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

Whilst you are under no obligation to do so, it would assist the Council if you could confirm as soon as convenient during your maternity leave that you will be returning to work as expected.

If you wish to return to work earlier than your expected return date, you must give the Council, preferably in writing, at least 21 days' notice of your proposed date of early return. If you fail to do so, the Council may postpone your return to such a date as will give the Council eight weeks' notice, provided that this is not later than your expected return date.

If you decide not to return to work at all after maternity leave, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after your maternity leave has ended, the Council may require you to return to work for the remainder of your notice period.

YOUR RIGHTS ON RETURN TO WORK

On resuming work after ordinary maternity leave, you are entitled to return to the same job as you occupied before commencing maternity leave on the same terms and conditions of employment as if you had not been absent. On resuming work after additional maternity leave, again you are entitled to return to the same job as you occupied before commencing maternity leave on the same terms and conditions as if you had not been absent. If, however, there is some reason why it is not reasonably practicable for the Council to take you back in your original job, you will be offered suitable alternative work of equivalent status and responsibility and on terms and conditions that are no less favourable than would have applied if you had not been absent.

If you are a full-time employee, you have no automatic right to return to work on a part-time basis or to make other changes to your working patterns at the end of your maternity leave. However, all requests for part-time work or other flexible working arrangements will be considered in line with the operational requirements of the Council's business. It is the Council's policy to promote flexible working arrangements for all employees and in particular for anyone returning from maternity leave. Further details, including the procedure to be followed, can be found in the section on Flexible Working. If you would like this option to be considered, you should write to your line manager setting out your proposals as far in advance of your return date as possible, so that there is adequate time for full consideration of your request.

There is no statutory right to time off for breastfeeding or expressing milk, however, as part of the Council's Health and Safety obligations, time and a suitable place will be allowed to rest and express milk if required. Employees who wish to do this are required

to give written notification of their intent to the Council, preferably before returning to work.

MATERNITY SUPPORT LEAVE

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

20 PATERNITY LEAVE AND PAY POLICY

<https://www.gov.uk/paternityleave>

INTRODUCTION

This section sets out the Council's policy on paternity leave and pay. The Council implements the paternity leave rights set out in legislation.

ENTITLEMENT TO PATERNITY LEAVE

In order to qualify for the right to take paternity leave, you must meet each of the following eligibility criteria:

- You have, or expect to have, responsibility for the upbringing of the child
- You are either the biological father of the child, or you are married to, the civil partner or the cohabiting partner of the child's mother, or you are married to, the civil partner or the cohabiting partner of the child's adopter, or you are one of a couple jointly adopting a child. A cohabiting partner is a person, whether of a different sex or the same sex, who lives with the mother or adopter and the child in an enduring family relationship but is not an immediate relative of the mother or adopter
- You are taking the leave to care for the child or to support the child's mother or adopter
- You have worked continuously for the Council for 26 weeks calculated as at the 15th week before the expected week of childbirth or, in respect of an adopted child, calculated as at the week in which the child's adopter is notified of having been matched with the child for adoption.

NOTIFICATION OF PATERNITY LEAVE

You are required to inform the Council of your intention to take paternity leave by the end of the 15th week before the expected week of childbirth or, in the case of an adopted child, no later than seven days after the date on which notification of the match with the child was given by the adoption agency, unless this is not reasonably practicable. You are required to provide the following information in writing to the Council:

- The date the child is expected to be born or adopted
- Whether you wish to take one or two weeks' paternity leave
- When you want your paternity leave to start.

In the case of an adopted child, your notice should also specify the date on which the adopter was notified of having been matched with the child.

You are permitted to bring forward your paternity leave start date, provided you advise the Council in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. You may also postpone your paternity leave start date, provided you advise the Council in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

You are also required to complete and sign a self-certification form as evidence of your entitlement to paternity leave and pay. A paternity leave request form can be obtained from your line manager and once completed it should be returned to your line manager.

PATERNITY LEAVE

Assuming you are eligible, you are entitled to take either one week or two consecutive weeks of paternity leave. It cannot be taken as odd days.

You can choose to start your paternity leave from:

- The date the child is born or placed for adoption (whether this is earlier or later than expected), or
- A chosen number of days or weeks after the date of childbirth or placement for adoption (whether this is earlier or later than expected), or
- A chosen date later than the first day of the week in which the baby is expected to be born or from a chosen date later than the expected date of placement. If the baby is born later than this date, you must delay your leave until the date of the actual birth.

Paternity leave can start on any day of the week on or following the child's birth or placement for adoption, but it must be completed either within 56 days of the actual date of childbirth or adoption or, if the child is born early, within the period from the actual date of childbirth up to 56 days after the first day of the expected week of childbirth.

In the case of multiple births from the same pregnancy, only one period of paternity leave is available.

During the period of paternity leave, your contract of employment continues in force and you are entitled to receive all your contractual benefits, except for salary. In particular, any benefits-in-kind will continue, contractual annual leave entitlement will continue to accrue and pension contributions will continue to be made. Your pension contributions will be based on your actual pay whilst the Council's contributions will be based on the salary that you would have received had you not gone on paternity leave.

Salary will be replaced by statutory paternity pay (SPP) if you are eligible to receive it.

STATUTORY PATERNITY PAY (SPP)

SPP is payable for up to two weeks during paternity leave. You are entitled to SPP if:

- You have been continuously employed by the Council for at least 26 weeks ending with the 15th week before the expected week of childbirth or, in respect of an adopted child, ending with the matching for adoption week and you are still employed during that week (and in the case of adoption, you continue to be employed until the date of the child's placement)
- Your average weekly earnings in the eight weeks up to and including the 15th week before the expected week of childbirth, or up to and including the matching week, are not less than the lower earnings limit for National Insurance contributions

- You have declared your eligibility for SPP by giving the Council a completed self-certification form at least 28 days before you want your SPP to start. The paternity leave request form can be used for this purpose.

SPP is paid by the Council for either one or two consecutive weeks of paternity leave. The weekly rate of SPP is paid at a rate set by the government for the relevant tax year: <https://www.gov.uk/paternity-pay-leave/pay>, or 90% of your average weekly earnings if this is lower than the government's set weekly rate.

SPP is treated as earnings and is therefore subject to PAYE and National Insurance deductions.

SPP can start from any day of the week in accordance with the date you start your paternity leave.

YOUR RIGHTS ON RETURN TO WORK

On resuming work after paternity leave, you are entitled to return to the same job on the same terms and conditions of employment as if you had not been absent.

21 SHARED PARENTAL LEAVE AND PAY POLICY

<https://www.gov.uk/shared-parental-leave-and-pay>

INTRODUCTION

The Council implements the shared parental leave and pay rights set out in legislation. This document sets out the Council's policy on shared parental leave and pay in relation to both the birth of a child and the adoption of a child.

The following abbreviations are used in this policy:

- Adopter:** The person with whom the child is, or is expected to be, placed for adoption by an adoption agency, or, in a case where two people have been matched jointly, whichever of them has elected to be the child's main adopter.
- EWC:** Expected week of childbirth - the week, starting on a Sunday, in which your doctor or midwife expects you to give birth.
- Parent:** One of two people who will share the main responsibility for the care of the child (and who may be either the mother, the father, the adopter, or the mother's or adopter's partner).
- Partner:** The mother's or adopter's spouse or civil partner or someone (whether of a different sex or the same sex) who lives with the mother or adopter and the child in an enduring family relationship but is not the mother's or adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

Shared parental leave (SPL) is only available to employees where the EWC, or the date of placement of the child for adoption, is on or after 5 April 2015.

ENTITLEMENT TO SHARED PARENTAL LEAVE

You are entitled to SPL in relation to the birth or adoption of a child if you are the:

- Child's mother or adopter and you share the main responsibility for the care of the child with the child's father (birth cases only) or the person who, at the date of the child's birth or placement for adoption, is your partner, or
- Child's father (birth cases only) and you share the main responsibility for the care of the child with the child's mother, or
- Mother's or adopter's partner at the date of the child's birth or placement for adoption and you share the main responsibility for the care of the child with the child's mother or adopter (in birth cases, where the child's father does not share the main responsibility with the mother).

In order to qualify for the right to take SPL, you must also meet each of the following eligibility criteria:

- You have worked continuously for the Council for 26 weeks calculated as at the 15th week before the EWC or, in respect of an adopted child, calculated as at the week in which the adopter is notified of having been matched with the child for adoption

- You remain in continuous employment with the Council until the week before the period of SPL to be taken
- If you are the mother or the adopter, you are entitled to maternity or adoption leave in respect of the child and you have ended your entitlement to such leave, either by serving a curtailment notice or by returning to work before the end of your maternity or adoption leave period
- If you are the father or partner, the mother or adopter is entitled to maternity or adoption leave, and/or statutory maternity pay (SMP), maternity allowance (MA) or statutory adoption pay (SAP), in respect of the child and they have ended their entitlement to such leave and/or pay, either by serving a curtailment notice or by returning to work before the end of their maternity or adoption leave period
- The other parent has worked in an employed or self-employed capacity for at least 26 of the 66 weeks immediately preceding the EWC or the week in which the adopter is notified of having been matched with the child for adoption, and had average weekly earnings of at least £30 per week for any 13 of those weeks
- You have given both a notice of entitlement and a period of leave notice to the Council and complied with any statutory evidence requirements imposed by the Council.

SPL is additional to the statutory right to two weeks' paternity leave. If you are entitled to paternity leave, you should consider using this before taking SPL. This is because you will lose any untaken paternity leave entitlement once you start a period of SPL.

LENGTH OF SHARED PARENTAL LEAVE

You and the other parent are jointly entitled to a maximum of 50 weeks of SPL between you, subject to satisfying the eligibility conditions for entitlement to SPL. All of the 52 weeks of maternity or adoption leave, except the two-week period of compulsory maternity leave after birth, or the first two weeks of adoption leave, are available for sharing between you as SPL, less the weeks spent by the child's mother or adopter on maternity or adoption leave (or the weeks in which the mother or adopter has been in receipt of SMP, MA or SAP if they are not entitled to maternity or adoption leave).

The earliest that SPL may be taken in relation to birth is the date of birth and in relation to adoption is the date of placement of the child for adoption. SPL can start for the other parent while the mother or adopter is still on maternity or adoption leave, provided the mother or adopter has served a curtailment notice.

SPL must end by the day before the child's first birthday, or by the day before the first anniversary of the child's placement for adoption.

The minimum period of SPL is one week, and it must be taken in multiples of complete weeks. It can begin on any day of the week as long as it is taken in complete weeks.

SPL may be taken as one single continuous period or in discontinuous periods.

ENDING MATERNITY OR ADOPTION LEAVE EARLY

If you are the child's mother or adopter on maternity or adoption leave and you wish to return to work earlier than your expected return date, you must give the Council,

preferably in writing, at least eight weeks' notice of your proposed date of early return and then you must return to work early.

Alternatively, you can bring forward the date on which your maternity or adoption leave ends by giving the Council a curtailment notice. You must also give us, at the same time as the curtailment notice, a notice of entitlement to opt in to the SPL scheme (see below), or a written declaration of consent and entitlement stating that the other parent has given a notice of entitlement to their employer and you consent to the amount of SPL that the other parent intends to take.

Your curtailment notice must be in writing and it must state the date on which you want your maternity or adoption leave to end. That date must be at least one day after the end of the two-week period of compulsory maternity leave or at least two weeks after the start of adoption leave, at least eight weeks after the date on which your curtailment notice is given and at least one week before the last day of your maternity or adoption leave. You can give a curtailment notice before or after you give birth or before or after adoption leave starts.

You must either return to work early or give a curtailment notice before you or the other parent can take SPL. The other parent may be eligible to take SPL from their employer before your maternity or adoption leave ends, provided you have given the curtailment notice.

The curtailment notice is normally binding and cannot be revoked. You can only revoke a curtailment notice if maternity or adoption leave has not yet ended and one of the following applies if:

- You discover that neither you nor the other parent are in fact eligible for SPL or statutory shared parental pay (ShPP), you can revoke the curtailment notice in writing up to eight weeks after it was given, or
- The other parent has died, or
- You gave the curtailment notice before your child's birth, you can revoke it in writing up to six weeks after birth (for mothers only) - in this case, you will still be able to opt into SPL at a later date, either by returning to work and then giving a notice of entitlement to take SPL or by giving another curtailment notice.

If you revoke your curtailment notice, you will remain on maternity or adoption leave.

If you are the child's father or the mother's or adopter's partner, you will only be able to take SPL once the mother or adopter has either returned to work early from their maternity or adoption leave or has given one of the following notices:

- A curtailment notice to their employer to end their maternity or adoption leave, or
- If they are not entitled to maternity or adoption leave but are entitled to SMP or SAP, a curtailment notice to their employer to end their SMP or SAP, or
- If they are not entitled to maternity leave or SMP, a curtailment notice to the Department for Work and Pensions to end their MA.

OPTING IN TO SHARED PARENTAL LEAVE

If you wish to take SPL, you must formally opt into the SPL scheme by giving the Council a notice of entitlement and intention to take SPL.

The written notice of entitlement must be given at least eight weeks before the date you intend your SPL to start and it must contain the following information:

- Your name and the name of the other parent
- If you are the child's mother or adopter, the start and end dates of your maternity or adoption leave
- If you are the child's father or the mother's or adopter's partner, the start and end dates of the mother's or adopter's maternity or adoption leave, or if they are not entitled to maternity or adoption leave, the start and end dates of any SMP, MA or SAP period
- The total amount of SPL available
- How much of that SPL will be allocated to you and how much to the other parent (you can change the allocation later by giving the Council a further written notice)
- If you are claiming ShPP, the total amount of ShPP available
- How much of that ShPP will be allocated to you and how much to the other parent (you can change the allocation later by giving the Council a further written notice)
- An indication of the pattern of SPL and ShPP you are thinking of taking, including the proposed start and end dates for each period of SPL and ShPP - this indication is non-binding until a period of leave notice is given
- The EWC and the child's date of birth or, in the case of adoption, the date that the adopter was notified of having been matched with the child for adoption, the date the child is expected to be placed for adoption and the adoption placement date.

It must also include a signed declaration from you that you satisfy, or will satisfy, the eligibility conditions for entitlement to SPL and ShPP, that the information given in your notice of entitlement is accurate and that you will immediately inform the Council if you cease to be eligible.

If you are the child's father or the mother's or adopter's partner, you must also declare that you are the child's father or the partner of the mother or adopter and that you will inform the Council if the child's mother or adopter tells you that they have ceased to satisfy the eligibility conditions.

Finally, your notice of entitlement must include a signed declaration from the other parent stating:

- Their name, address and national insurance number
- They satisfy the eligibility conditions to take SPL
- They consent to the amount of SPL and ShPP that you intend to take
- They consent to the Council processing the information provided in their declaration
- If you are the mother or adopter, that they are the child's father or your partner

- If you are the child's father or the mother's or adopter's partner, that they have reduced their SMP, MA or SAP (if you are claiming ShPP) and will immediately inform you if they cease to satisfy the eligibility conditions.

If you give a notice of entitlement before your child is born or before the adoption placement date, you must inform the Council of the child's date of birth or the adoption placement date as soon as reasonably practicable after the birth or placement and, in any event, before the first period of SPL that you wish to take.

It is up to you and the other parent to agree between yourselves how much SPL each of you will take and whether you want to take the time off at the same time or at different times.

EVIDENCE OF ENTITLEMENT

If requested by the Council within 14 days beginning with the date on which your notice of entitlement was given, you must provide:

- A copy of the child's birth certificate (or, if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
- The name and address of the other parent's employer (or a declaration that they have no employer).

You have 14 days to provide this information (14 days from the date of birth to provide a birth certificate if the Council's request was made before birth).

In the case of adoption, the evidence that the Council can request is one or more documents issued by the adoption agency showing the name and address of the agency, the date that the adopter was notified of having been matched with the child for adoption, the date on which the agency expects to place the child for adoption and the name and address of the other parent's employer (or a declaration that they have no employer).

NOTIFYING YOUR SHARED PARENTAL LEAVE DATES

Having opted into the SPL system by giving us a notice of entitlement, you also need to give the Council a period of leave notice telling us the start and end dates of the SPL that you intend to take. This can be given at the same time as your notice of entitlement or it can be given later, but it must be given not less than eight weeks before the start date of the first period of SPL requested in your period of leave notice. You can request more than one period of SPL in your notice. If given before the child is born or placed for adoption, the notice can contain start and end dates expressed as a number of days following the child's birth or adoption placement date, rather than specific dates.

You must also state in your notice the dates on which you intend to claim ShPP, if applicable.

You can give up to a maximum of three period of leave notices. This may enable you to take up to three separate periods of SPL (although if you give a notice to vary or cancel a period of SPL, this will in most cases count as a further period of leave notice – see "varying or cancelling your shared parental leave dates" below).

If your notice gives dates for a single continuous period of SPL, you will be entitled to

take the SPL set out in your notice (as long as it does not exceed the total number of weeks of SPL available to you).

In general, your period of leave notice should set out a single continuous period of SPL. However, in some cases, the Council may be willing to consider a period of leave notice where the SPL is split into shorter, discontinuous periods (with periods of work in between). Where your notice is for discontinuous SPL, if we are unable to agree to your request straight away, there will be a two-week discussion period to enable the Council to consider your request and discuss it with you. The Council may, at its absolute discretion:

- Agree to your requested pattern of discontinuous SPL; or
- Refuse your request as it was made but propose alternative dates; or
- Refuse your request.

If, by the end of the two-week discussion period, the Council either agrees to your request for discontinuous SPL or agrees alternative dates with you, you will then be entitled to take SPL on the dates agreed.

If, however, by the end of the two-week discussion period, we cannot reach an agreement with you on your requested pattern of discontinuous SPL, you will be entitled to take the full amount of SPL that you requested as a single continuous period to begin on the start date of the first period of SPL requested in your period of leave notice. Alternatively, you may:

- Withdraw your period of leave notice on or before the 15th day after it was given (in which case it will not be counted and you may submit a new period of leave notice if you wish), or
- Choose a new start date which you must notify to the Council within five days of the end of the two-week discussion period (and this date must be at least eight weeks after your period of leave notice was given).

VARYING OR CANCELLING YOUR SHARED PARENTAL LEAVE DATES

You can cancel a period of SPL by notifying the Council in writing at least eight weeks before the start date in the period of leave notice.

You can vary the start date for a period of SPL, or the length of a period of SPL, by giving the Council at least eight weeks' written notice of the variation before the original start date or the proposed new start date, whichever is sooner.

You can vary the end date for a period of SPL by giving the Council at least eight weeks' written notice of the variation before the original end date or the proposed new end date, whichever is sooner.

However, you do not have to give eight weeks' notice if you are changing the dates of your SPL because your child has been born earlier than the EWC, where you wanted to start your SPL a certain length of time (but not more than eight weeks) after birth. In this case, please notify the Council in writing of the change as soon as possible.

A notice to cancel or vary a period of SPL will count as one of your three period of leave notices, unless:

- The variation is at the Council's request; or
- The variation is as a result of your child being born earlier or later than the EWC or being placed with you earlier or later than the expected placement date; or
- The Council agrees otherwise.

STATUTORY SHARED PARENTAL PAY

ShPP of up to 39 weeks (less any weeks of SMP, MA or SAP claimed by you or the other parent - which must be at least two weeks) may be available during SPL provided you have been continuously employed by the Council for at least 26 weeks ending with the 15th week before the EWC or the week in which the adopter is notified of having been matched with the child for adoption, you remain in continuous employment with the Council until the week before the ShPP period begins and your average weekly earnings in the eight weeks up to and including the 15th week before the EWC, or up to and including the week in which the adopter is notified of having been matched with the child for adoption, are not less than the lower earnings limit for National Insurance contributions.

The weekly rate of ShPP is paid at a rate set by the government for the relevant tax year, or 90% of your average weekly earnings if this is lower than the government's set weekly rate.

ShPP is paid into your bank account in the same way as salary is normally paid.

ShPP is treated as earnings and is therefore subject to deductions of income tax and National Insurance contributions. ShPP is payable whether or not you intend to return to work after your SPL.

It is important for ShPP purposes that you notify your line manager if, during the ShPP pay period, you are taken into legal custody or start work for another employer.

OTHER TERMS DURING SHARED PARENTAL LEAVE

During the period of SPL, your contract of employment continues in force and you are entitled to receive all your contractual benefits, except for salary. In particular, any benefits in kind will continue and annual leave entitlement will continue to accrue.

Salary may be replaced by ShPP for some of the SPL period if you are eligible to receive it (see above). The remaining period of SPL will be unpaid.

If you take part in a defined contribution pension scheme: During the period of paid SPL (i.e. when you are receiving ShPP), your pension contributions will be based on the amount of actual pay you are receiving whilst the Council's contributions will be based on the salary you would have received had you not gone on SPL. You may wish to increase your own contributions to make good any shortfall whilst you are in receipt of less than your usual salary. However, unless the pension scheme rules or your contract of employment provide otherwise, the Council will not make contributions during any period of unpaid SPL. Subject to the pension scheme rules, you may make member contributions during this time.

If you take part in a defined benefit pension scheme: Your period of paid SPL (i.e. when you are receiving ShPP) will count towards your pensionable service and benefits will continue to accrue as set out in the pension scheme rules. Your pension contributions will be based on the amount of actual pay you are receiving whilst the Council's contributions will be based on the salary you would have received had you not gone on SPL. However, unless the pension scheme rules allow or your contract of employment provides otherwise, any period of unpaid SPL will not count as pensionable service, the Council will not make contributions during this time and neither will you be able to make contributions. If you then return to work at the end of your unpaid SPL period, pensionable service before and after this period will be treated as continuous.

You should endeavour to take any outstanding annual leave that may be due to you before the commencement of SPL. You are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during SPL, you should take the full year's entitlement before starting your SPL.

CONTACT DURING SHARED PARENTAL LEAVE

Shortly before your SPL starts, if necessary the Council will discuss the arrangements for you to keep in touch during your leave, should you wish to do so. The Council reserves the right in any event to maintain reasonable contact with you from time to time during your SPL. This may be to discuss your plans for return to work, to discuss any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence.

SHARED PARENTAL LEAVE IN TOUCH DAYS

You may agree to work for the Council for up to a maximum of 20 days during your SPL without that work bringing the period of your SPL to an end and without loss of a week's ShPP. These are known as "shared parental leave in touch" (SPLIT) days. Any work carried out on a day constitutes a day's work for these purposes.

SPLIT days are in addition to any keeping in touch days that you may have taken during maternity or adoption leave.

The Council has no right to require you to carry out any work, and you have no right to undertake any work, during your SPL. Any work undertaken, including the amount of salary paid for any work done on SPLIT days, is entirely a matter for agreement between the Council and you. Any SPLIT days worked do not extend the period of your SPL. Once the SPLIT days have been used up, you will lose a week's ShPP for any week in which you agree to work for the Council.

RETURNING TO WORK

You are expected to return on the next working day after the end date of your SPL, unless you notify the Council otherwise. If you are unable to attend work at the end of your SPL due to sickness or injury, the Council's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

Whilst you are under no obligation to do so, it would assist the Council if you could

confirm as soon as convenient during your SPL that you will be returning to work as expected.

If you wish to return to work earlier than your SPL end date or you wish to extend your SPL (assuming you still have unused SPL entitlement remaining), the provisions above on “varying or cancelling your shared parental leave dates” apply and your notice to vary will still constitute one of your maximum of three period of leave notices. Therefore, if you have already given us three period of leave notices, you will not be able to end your SPL early or extend your SPL without the Council’s agreement.

If you decide not to return to work at all after SPL, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after your SPL has ended, the Council may require you to return to work for the remainder of your notice period.

YOUR RIGHTS ON RETURN TO WORK

On resuming work after SPL, you are entitled to return to the same job as you occupied before commencing SPL on the same terms and conditions as if you had not been absent, provided that the total leave taken (including any time on maternity, paternity or adoption leave) amounts to no more than 26 weeks in aggregate, even if taken in discontinuous blocks.

On resuming work after SPL where you have taken more than 26 weeks’ leave in total (including any time on maternity, paternity or adoption leave), or you have taken a period of SPL in combination with more than four weeks of ordinary unpaid parental leave, again you are entitled to return to the same job as you occupied before commencing SPL on the same terms and conditions as if you had not been absent. If, however, it is not reasonably practicable for the Council to allow you to return to the same job, the Council may offer you suitable alternative work, of equivalent status and responsibility and on terms and conditions that are no less favourable than would have applied if you had not been absent.

If you worked full time prior to your SPL you have no automatic right to return to work on a part-time basis or to make other changes to your working patterns. However, all requests for part-time work or other flexible working arrangements will be considered in line with the operational requirements of the Council’s business. If you would like this option to be considered, you should write to your line manager setting out your proposals as soon as possible in advance of your return date, so that there is adequate time for full consideration of the request. The procedure for making a flexible working application is set out in the Council’s flexible working policy.

22 PARENTAL LEAVE POLICY

<https://www.gov.uk/parental-leave>

INTRODUCTION

The Employment Relations Act 1999 provides all employees with the opportunity to be absent from work on unpaid parental leave for the purpose of caring for a child.

Parental Leave should not be confused with Shared Parental Leave which is an entitlement for eligible parents of children born or adopted on or after 5 April 2015.

Employees who have the responsibility for a child are given the right to have up to 18 weeks unpaid parental leave before the child reaches a maximum age of 18.

RESPONSIBILITY FOR A CHILD

To qualify for parental leave, you must have parental responsibility for a child.

Both parents are entitled to parental leave, but this right cannot be combined or transferred to another person.

MAXIMUM AGE OF A CHILD

You may exercise the entitlement to parental leave in respect of any individual child up to the age of 18.

Where you have adopted a child, leave must be taken before the child's 18th birthday.

MULTIPLE BIRTHS

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

EMPLOYEE ELIGIBILITY TO PARENTAL LEAVE

You must have at least 12 months continuous employment to be eligible to claim parental leave.

MINIMUM AND MAXIMUM PERIODS OF PARENTAL LEAVE

Employees will be eligible to take parental leave in minimum blocks of one week (i.e. five working days duration). No minimum period applies to parents of disabled children.

The maximum period of parental leave in any twelve-month period is four weeks.

NOTICE REQUIREMENTS

Employees must notify the Staffing Committee, in writing, at least 21 days before, of the intended start of the parental leave. In exceptional circumstances, this period can be reduced by mutual agreement between the individual and the Staffing Committee.

EVIDENCE REQUIRED

Employees may be requested to produce evidence of their responsibility for a child in order for the leave to be authorised. Such evidence may include the child's birth certificate, adoption certificate, or a child's eligibility to a disability living allowance or personal independence payment.

POSTPONEMENT OF LEAVE

Where the Council considers that the operation of its business would be unduly disrupted by an employee taking parental leave during an identified period, the leave may be postponed for up to 6 months.

Notification of the postponement, specifying the dates and the reasons will be provided to you in writing. This will occur no later than 7 days after you gave notice to the Council.

TERMS AND CONDITIONS DURING PARENTAL LEAVE

An employee who is absent on parental leave is entitled to the same terms and conditions of employment, which would have applied had they not been absent, except remuneration.

Pension contributions will continue to be paid/deducted in the normal way during periods of parental leave.

RIGHT TO RETURN TO WORK FOLLOWING PARENTAL LEAVE

Where an employee takes parental leave, they are entitled to return to the same job.

An employee's right is to return on terms and conditions not less favourable than those that would apply had the employee not been absent.

23 PARENTAL BEREAVEMENT LEAVE AND PAY POLICY

<https://www.gov.uk/parental-bereavement-pay-leave>

The Parental Bereavement (Leave and Pay) Act 2018, effective April 2020, provides employees who have parental responsibility for a child with the right to request at least 2 weeks leave if the child dies before the age of 18 or is stillborn after 24 weeks of pregnancy. Both parents are entitled to parental bereavement leave.

You may take leave in blocks of one or two weeks within a period of 56 days beginning with the date of the child's death.

If you are absent on parental bereavement leave you are entitled to the same terms and conditions of employment which would have applied had, you not been absent with the exception of remuneration.

You will be eligible for statutory parental bereavement pay at the statutory rate set by the Government or 90% of average earnings (whichever is lower) subject to:

- Your average weekly earnings in the eight weeks up to and including the relevant week being not less than the lower earnings limit for National Insurance contributions
- You having at least 26 weeks continuous employment ending with the relevant week

The relevant week is the week immediately before the one in which the child dies.

In the event of the death of more than one child, you are entitled to statutory parental leave and pay in respect of each child.

Pension contributions will continue to be paid/deducted in the normal way during periods of parental bereavement leave.

24 FLEXIBLE WORKING POLICY

<https://www.gov.uk/flexible-working>

ENTITLEMENT TO REQUEST FLEXIBLE WORKING

Employees have a statutory right to request to work flexibly and to have their flexible working application dealt with in a reasonable manner. In order to make a request under the statutory right, you must have worked for the Council for a continuous period of 26 weeks at the date of application. You must also not have made another request to work flexibly under the statutory right during the previous twelve months. A flexible working request will not be considered if you have handed in your resignation or are at any point within your notice period.

FLEXIBLE WORKING GENERALLY

You may wish to apply for flexible working to accommodate caring arrangements, charity work, leisure activities, external study or indeed for any other purpose. All employees are eligible to apply for flexible working regardless of their seniority, current working pattern, age, sex, race, religion, sexual orientation, whether they have a disability or whether they are employed on a permanent or fixed-term basis.

You can apply to vary the number of hours you work, the times you work or your place of work (between your home and the Council's place of business). Although the Council is committed to being flexible on working patterns for its employees, you must recognise that the requirements of the business are paramount, and it may not be appropriate or possible for flexible working arrangements to apply to all jobs across all areas of the business.

THE FLEXIBLE WORKING APPLICATION PROCEDURE

You should comply with the following procedure to make your application for flexible working arrangements:

- Make your request in writing setting out the flexible working arrangement you seek. A Flexible Working Application Form can be obtained from your line manager
- If necessary, the Council will arrange a meeting with you to discuss the changes you have proposed, the effect of the proposed changes and any possible alternative work patterns that might suit. You may be accompanied at this meeting by a work colleague
- The Council will consider your request and will make a practical business assessment on whether and, if so, how it could be accommodated
- The Council will notify you of its decision. If the Council accepts your request, it will write to you, establishing a start date and providing a written note of the contract of employment variation. If your application is refused, the Council will explain the grounds for refusal in writing and confirm the internal appeal procedure
- Where your request is accepted, unless otherwise agreed, it constitutes a permanent change to your terms and conditions of employment. This means you

do not have the right to revert to your previous pattern of working at a future date. However, depending on the circumstances of the case, at its absolute discretion the Council may be willing to agree to a temporary change to your terms and conditions of employment for a specified period only. In that case, you would then revert back to your previous pattern of working after the specified period comes to an end

- You may appeal against a refusal of your flexible working request within five working days of the decision. Appeals must be made in writing and state the grounds for your appeal. The Council may then set up a meeting with you to discuss your appeal and you may be accompanied at this meeting by a work colleague. Whether or not an appeal meeting is held, the Council will write to you to notify you of the outcome of your appeal
- The Council will notify you of its decision on your flexible working application within three months beginning with the date on which your application is made, or such longer period as may be agreed between the Council and you. This decision period includes dealing with any appeal against a decision to refuse your flexible working request.

GROUND'S FOR REFUSAL

The Council may refuse your flexible working application on one or more of the following business grounds:

- The burden of additional costs
- The detrimental effect it would have on the Council's ability to meet customer demand
- The Council's inability to re-organise work amongst existing staff
- The Council's inability to recruit additional staff
- The detrimental impact it would have on quality
- The detrimental impact it would have on performance
- The insufficiency of work available during the period when you propose to work
- The Council's planned structural changes.

In refusing an application, the Council will provide details relating to why the particular ground applies in the circumstances.

Each request for flexible working will be dealt with individually, taking into account the likely effects the changes will have on the Council, the work of the department in which you are employed, your work colleagues and the particular circumstances of the case. This means that if the Council agrees to one employee's request, this does not set a precedent or create a right for another employee to be granted the same or a similar change to their work pattern. For example, having approved one flexible working request, this may mean that the business context has changed and this may be taken into account when considering a second request from another employee against the above business grounds.

25 DISCIPLINARY & DISMISSAL PROCEDURE

The Disciplinary and Dismissal Procedure is NON-CONTRACTUAL.

The primary objective of the procedure is to ensure that all cases of discipline are dealt with fairly and consistently, and where there has been a breach of discipline, to encourage an improvement in individual conduct or performance.

Management is under a duty to establish standards of discipline; employees are entitled to expect fair, just, and consistent treatment.

All offences dealt with under the Disciplinary Procedure will be investigated to establish the facts. At each stage of the procedure, you will be given the opportunity of stating your case at a disciplinary meeting before any decision is reached about action to be taken.

It may be necessary to suspend you whilst an investigation is taking place. Any suspension will be kept to a minimum and will be on full pay. In these circumstances the suspension itself will not constitute disciplinary action.

You are entitled to be accompanied by an employee of the Council or by a Trade union official or a tape recorder at any stage in this procedure and are encouraged to make use of this facility.

Disciplinary action will fall into one of the following categories:

Written Warning: You will be advised of the reason for the warning, how you need to improve your conduct or performance, the timescale over which the improvement is to be achieved, that the warning is the first stage of the formal disciplinary procedure and the likely consequences if the terms of the warning are not complied with.

Final Written Warning: The procedure followed will be the same as above. On this occasion you will be advised, in writing, that a failure to improve the standard of conduct or performance will result in dismissal.

Dismissal: A dismissal occurs when the Council terminates the contract of employment, either with or without notice.

The disciplinary action taken will be determined by the severity of the offence. For relatively minor offences the procedure will normally commence with a Written Warning and progress through the stages, eventually arriving at dismissal.

The Council may decide, however, to commence the procedure at Final Written Warning stage if the offence is serious enough.

In cases of gross misconduct, the Council will normally move directly to the dismissal stage of the procedure.

This disciplinary procedure will apply only to employees who have at least two years' continuous employment with the Council.

Employees with less service who commit an offence or whose performance falls below the standard required may be liable, at the management's discretion, to dismissal where appropriate.

DISCIPLINARY PROCESS AND GRIEVANCE

If a grievance is raised once the disciplinary process is underway, and is raised in connection with the disciplinary process, it will be dealt with concurrently. The disciplinary process will not be suspended.

If a grievance is unrelated to the disciplinary action, it will be dealt with as outlined in the grievance procedure.

DISCIPLINARY PROCESS AND SICKNESS

If you have been invited to an investigatory meeting, are suspended or have been notified you are to attend a disciplinary hearing, and are unable to attend work or a meeting due to sickness, any entitlement to Council sick pay will not be paid and you will be entitled to statutory sick pay only.

APPEAL

You have the right to appeal against any disciplinary action taken against you in accordance with the Appeal Procedure.

26 RIGHT OF APPEAL

You have the right to appeal against any disciplinary action taken against you, if you have over two years' continuous service.

All appeals must be made in writing no later than the end of the fifth working day after the disciplinary decision was notified in writing to you. The first of these five working days is the day on which you received written confirmation of the disciplinary decision.

The written appeal should be submitted to the Staffing Committee.

An appeal hearing will be organised and held as quickly as possible, and, in any event, within 10 working days of the date on which the appeal was submitted. You will be entitled to attend the appeal hearing and will be given an opportunity to state your case.

The findings of the appeal hearing will be notified to you within five working days of the hearing.

The Council may confirm the original decision, revoke the original decision or substitute a different penalty. This may include the Council deciding to impose a greater sanction.

If the appeal is against dismissal, the date that any dismissal takes effect will not be delayed pending the outcome of the appeal. However, if the appeal is successful the decision to dismiss will be removed and you will be reinstated with no loss of continuity or pay.

You are entitled to be accompanied by a fellow employee at all stages of the procedure.

27 GRIEVANCE PROCEDURE

As a normal part of good management practice, managers and employees should make every effort to resolve any issues informally without recourse to the formal Grievance Procedure. Only when such attempts have failed should the formal procedure be involved.

The grievance procedure enables the Council to ensure that any problems, complaints or concerns raised by its employees are dealt with in a fair, timely and consistent manner.

This policy is primarily for individuals to raise grievances that affect them uniquely and this procedure should not be used for dealing with collective grievances. However, if a number of individuals have the same grievance, then provision may be made for the grievance to be considered jointly.

INFORMAL

If you have a grievance or complaint regarding your work, working conditions, pay and benefits, working hours, or treatment by colleagues, or if you are concerned about your health and safety or a breach of your statutory employment rights or any other issue affecting your employment, you should first talk the matter over on an informal basis with your line manager. They will discuss your concerns with you and attempt to resolve the matter within a reasonable timescale.

FORMAL

If you feel that your grievance has not been resolved or cannot be settled informally, you should write to the Staffing Committee about the issue. You may (if the grievance concerns your immediate manager) raise the matter in writing with the person to whom your manager reports. You will then be invited to attend a meeting to discuss the grievance; you must take all reasonable steps to attend this meeting.

You may be accompanied at the meeting by either a work colleague or (appropriately qualified) Trade Union representative. The meeting will normally take place within 10 working days of receipt of the grievance in writing.

The meeting will not take place until the Council knows the basis for the grievance.

The matter will be considered carefully, and the outcome communicated to you in writing within 10 working days.

APPEAL

If you feel that your grievance has not been satisfactorily resolved, you have the right to raise an appeal. Your request for an appeal should be submitted to the Staffing Committee in writing within five working days of you receiving written confirmation of the outcome of the formal grievance meeting. A further meeting will be arranged within 10 working days so that you can discuss your grievance appeal with another senior person (a member of the Staffing Committee as far as this is feasible). The outcome will be communicated to you in writing within ten working days. Decisions made at this point

are final and the grievance procedure is concluded.

You have the right to be accompanied, if you wish, by a colleague or trade union official at any grievance and appeal meetings. If your chosen companion is not available at the proposed time, you may request that the meeting is postponed for up to five working days in order that they can accompany you.

Where possible, the different stages of the procedure will be handled by different managers/councillors (normally of increasing seniority). However, where this is not practicable, the same manager/councillor may handle the different stages and they will act as impartially as possible.

The representative is permitted but not obliged to:

- Address the meeting (but not answer questions on your behalf)
- Confer with you during the meeting

TIME LIMITS AND INVESTIGATIONS

A grievance will normally be heard within the number of working days from receipt of the written notification set out above. Should a detailed investigation of the circumstances of the grievance be required prior to the meeting or if a person material to dealing with the grievance is away from the office, these may be increased to 15 working days.

CONFIDENTIALITY

Grievances will be handled with as high a degree of confidentiality as is practicable, particularly when the issue is of a sensitive nature.

Confidential records of the grievance will be kept in your personnel file in accordance with Data Protection legislation. Copies of meeting notes will be provided to you, although the Council reserves the right to withhold certain information (e.g. to protect a witness).

Please note that where timescales are specified in this procedure, they may be extended by mutual consent if necessary.

28 EQUAL OPPORTUNITIES POLICY

POLICY STATEMENT

The Council is an equal opportunity employer and is fully committed to a policy of treating all of its employees and job applicants equally. The Council will avoid unlawful discrimination 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.

The Council will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications without regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. In this policy, these are known as the "protected characteristics".

Employees have a duty to co-operate with the Council to make sure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Action will be taken under the Council's disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination. Serious breaches of this equal opportunities policy statement will be treated as potential gross misconduct and could render you liable to summary dismissal. You should bear in mind that you can be held personally liable for any act of unlawful discrimination.

You should draw the attention of your line manager to suspected discriminatory acts or practices. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or who has provided information about such discrimination. Such behaviour will be treated as potential gross misconduct in accordance with the Council's disciplinary procedure. You should support colleagues who suffer such treatment and are making a complaint.

In addition, line managers who had knowledge that such discrimination had occurred in their departments but who had taken no action to eliminate it will also be subject to disciplinary action under the Council's disciplinary procedure.

The Council has a separate dignity at work policy statement which deals with harassment, bullying and intimidation and sets out how complaints of that type will be dealt with.

DIRECT DISCRIMINATION

Direct discrimination occurs when, because of one of the protected characteristics, a job applicant or an employee is treated less favourably than other job applicants or employees are treated or would be treated.

The treatment will still amount to direct discrimination even if it is based on the protected characteristic of a third party with whom the job applicant or employee is associated and not on the job applicant's or employee's own protected characteristic. In addition, it can include cases where it is perceived that a job applicant or an employee has a particular protected characteristic when in fact they do not. The Council will take all reasonable steps to eliminate direct discrimination in all aspects of employment.

INDIRECT DISCRIMINATION

Indirect discrimination is treatment that may be equal in the sense that it applies to all job applicants or employees, but which is discriminatory in its effect on, for example, one particular sex or racial group.

Indirect discrimination occurs when there is applied to the job applicant or employee a provision, criterion or practice (PCP) which is discriminatory in relation to a protected characteristic of the job applicant or employee. A PCP is discriminatory in relation to a protected characteristic of the job applicant or employee if:

- it is applied, or would be applied, to persons with whom the job applicant or employee does not share the protected characteristic
- the PCP puts, or would put, persons with whom the job applicant or employee shares the protected characteristic at a particular disadvantage when compared with persons with whom the job applicant or employee does not share it
- it puts, or would put, the job applicant or employee at that disadvantage, and
- it cannot be shown by the Council to be a proportionate means of achieving a legitimate aim.

The Council will take all reasonable steps to eliminate indirect discrimination in all aspects of employment.

RECRUITMENT, ADVERTISING AND SELECTION

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 experience, abilities and qualifications. The Council is committed to applying its equal opportunities policy statement at all stages of recruitment and selection.

Advertisements will aim to positively encourage applications from all suitably qualified and experienced people. When advertising job vacancies, in order to attract applications from all sections of the community, the Council will, as far as reasonably practicable:

- Ensure advertisements are not confined to those areas or publications which would exclude or disproportionately reduce the numbers of applicants with a particular protected characteristic.
- Avoid setting any unnecessary provisions or criteria which would exclude a higher proportion of applicants with a particular protected characteristic.
- Avoid prescribing any requirements as to marital status.
- Ensure that the setting of age limits as a criterion of any specific job is justifiable.

Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular protected characteristic.

However, where, having regard to the nature and context of the work, having a particular protected characteristic is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, the Council will apply that requirement to the job role and this may therefore be specified in the advertisement.

The selection process will be carried out consistently for all jobs at all levels. All applications will be processed in the same way. The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Wherever possible, all applicants will be interviewed by at least two interviewers and all questions asked of the applicants will relate to the requirements of the job. The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question.

With disabled job applicants, the Council will have regard to its duty to make reasonable adjustments to work provisions, criteria and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively, without detailed questions based on assumptions about any of the protected characteristics.

TRAINING AND PROMOTION

The Council will train all line managers in the Council's policy on equal opportunities and in helping them identify and deal effectively with discriminatory acts or practices. Line managers will be responsible for ensuring they actively promote equality of opportunity within the departments for which they are responsible.

The Council will also provide training to all employees to help them understand their rights and responsibilities in relation to equal opportunities and what they can do to create a work environment that is free from discrimination.

Where a promotional system is in operation, it will not be discriminatory, and it will be checked from time to time to assess how it is working in practice. When a group of workers who predominantly have a particular protected characteristic appear to be excluded from access to promotion, transfer and training and to other benefits, the promotional system will be reviewed to ensure there is no unlawful discrimination.

TERMS OF EMPLOYMENT, BENEFITS, FACILITIES AND SERVICES

All terms of employment, benefits, facilities and services will be reviewed from time to time, in order to ensure that there is no unlawful direct or indirect discrimination because of one or more of the protected characteristics.

EQUAL PAY AND EQUALITY OF TERMS

The Council is committed to equal pay and equality of terms in employment. It believes its male and female employees should receive equal pay where they are carrying out like work, work rated as equivalent or work of equal value. In order to achieve this, the Council will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

REPORTING COMPLAINTS

All allegations of discrimination will be dealt with seriously, confidentially and speedily. The Council will not ignore or treat lightly grievances or complaints of unlawful discrimination from employees.

If you wish to make a complaint of discrimination, you should do so promptly and use the Council's grievance procedure.

If your complaint relates to bullying, harassment or intimidation, you should refer to the Council's dignity at work policy statement.

MONITORING EQUAL OPPORTUNITY

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

29 DIGNITY AT WORK POLICY

POLICY STATEMENT

The Council seeks to provide a work environment in which all employees are treated with respect and dignity and that is free from harassment and bullying based upon age, disability, gender reassignment, marriage and civil partnership, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. In this policy, these are known as the “protected characteristics”.

Employees have a duty to co-operate with the Council to make sure that this policy is effective in preventing harassment or bullying. Action will be taken under the Council’s disciplinary procedure against any employee who is found to have committed an act of improper or unlawful harassment, bullying or intimidation. Serious breaches of this dignity at work policy statement will be treated as potential gross misconduct and could render the employee liable to summary dismissal. You should bear in mind that you can be held personally liable for any act of unlawful harassment. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

All employees are responsible for conducting themselves in accordance with this policy. The Council will not condone or tolerate any form of harassment, bullying or intimidation, whether engaged in by employees or by outside third parties who do business with the Council, such as clients, customers, contractors and suppliers.

You should draw the attention of your line manager to suspected cases of harassment, bullying or intimidation. You must not victimise or retaliate against an employee who has made allegations or complaints of harassment or who has provided information about such harassment. Such behaviour will be treated as potential gross misconduct in accordance with the Council’s disciplinary procedure. You should support colleagues who suffer such treatment and are making a complaint.

This policy covers harassment, bullying and intimidation both in the workplace and in any work-related setting outside the workplace, for example during business trips, at external training events or at work-related social events.

BULLYING AND HARASSMENT

Bullying is offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates an employee.

An employee unlawfully harasses another employee if they engage in unwanted conduct related to a protected characteristic, and the conduct has the purpose or effect of violating the other employee’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other employee.

An employee also unlawfully harasses another employee if they engage in unwanted conduct of a sexual nature, and the conduct has the purpose or effect of violating the other employee’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other employee.

Finally, an employee unlawfully harasses another employee if they or a third party engage in unwanted conduct of a sexual nature or that is related to gender reassignment

or sex, the conduct has the purpose or effect of violating the other employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other employee, and because of that other employee's rejection of or submission to the conduct, they treat that other employee less favourably than they would treat them if they had not rejected, or submitted to, the conduct.

The unwanted conduct will still amount to harassment if it is based on the protected characteristic of a third party with whom the employee is associated and not on the employee's own protected characteristic, or if it was directed at someone other than the employee, or even at nobody in particular, but they witnessed it. In addition, harassment can include cases where the unwanted conduct occurs because it is perceived that an employee has a particular protected characteristic, when in fact they do not.

Conduct may be harassment whether or not the person intended to offend. Something intended as a "joke" or as "office banter" may offend another person. This is because different employees find different levels of behaviour acceptable, and everyone has the right to decide for themselves what behaviour they find acceptable to them.

Behaviour which a reasonable person would realise would be likely to offend an employee will always constitute harassment without the need for the employee having to make it clear that such behaviour is unacceptable, for example, touching someone in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend a particular employee, for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after the employee has made it clear, by words or conduct, that such behaviour is unacceptable to them. A single incident can amount to harassment if it is sufficiently serious.

EXAMPLES:

Bullying and harassment may be verbal, non-verbal, written or physical. Examples of unacceptable behaviour include, but are not limited to, the following:

- Unwelcome sexual advances, requests for sexual favours, other conduct of a sexual nature
- Subjection to obscene or other sexually suggestive or racist comments or gestures, or other derogatory comments or gestures related to a protected characteristic
- The offer of rewards for going along with sexual advances or threats for rejecting sexual advances
- Jokes or pictures of a sexual, sexist or racial nature or which are otherwise derogatory in relation to a protected characteristic
- Demeaning comments about an employee's appearance
- Questions about an employee's sex life
- The use of nicknames related to a protected characteristic whether made orally or by e-mail
- Picking on or ridiculing an employee because of a protected characteristic
- Isolating an employee or excluding them from social activities or relevant work-related matters because of a protected characteristic.

REPORTING COMPLAINTS

All allegations of harassment, bullying or intimidation will be dealt with seriously, confidentially and speedily. The Council will not ignore or treat lightly grievances or complaints of harassment from employees.

While the Council encourages employees, who believe they are being harassed or bullied to notify the offender (by words or by conduct) that their behaviour is unwelcome, the Council also recognises that actual or perceived power and status disparities may make such confrontation impractical. In the event that such informal direct communication is either ineffective or impractical, or the situation is too serious to be dealt with informally, you should follow the procedure set out below.

If you wish to make a complaint of harassment, bullying or intimidation, against a fellow employee you should follow the following steps:

1. First of all, report the incident of harassment to your line manager. If you do not wish to speak to your line manager, you can instead speak to an alternative manager or to a member of the Staffing Committee.
2. Such reports should be made promptly so that investigation may proceed, and any action taken expeditiously.
3. All allegations of harassment will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the details of your complaint. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the Council must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged harasser so that he or she is able to fairly respond to the allegations. The Council reserves the right to arrange for another manager to conduct the investigation other than the manager with whom you raised the matter.
4. Once the investigation has been completed, you will be informed in writing of the outcome and the Council's conclusions and decision as soon as possible. The Council is committed to taking appropriate action with respect to all complaints of harassment which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged harasser.
5. You will not be penalised for raising a complaint, even if it is not upheld, unless your complaint was both untrue and made in bad faith.
6. If your complaint is upheld and the harasser remains in the Council's employment, the Council will take all reasonable steps to ensure that you do not have to continue working alongside them if you do not wish to do so. The options will be discussed with you.
7. If your complaint is not upheld, arrangements will be made for you and the alleged harasser to continue or resume working and to repair working relationships.

Alternatively, you may, if you wish, use the Council's grievance procedure to make a

complaint of harassment.

DISCIPLINARY ACTION

Any employee who is found to have harassed another employee in violation of this policy will be subject to disciplinary action under the Council's disciplinary procedure. Such behaviour may be treated as gross misconduct and could render the employee liable to summary dismissal. In addition, line managers who had knowledge that such harassment had occurred in their departments but who had taken no action to eliminate it will also be subject to disciplinary action under the Council's disciplinary procedure.

TRAINING

The Council will train all line managers in the Council's policy on dignity at work and in helping them identify and deal effectively with harassment, bullying or intimidation. Line managers will be responsible for ensuring they actively promote dignity at work within the departments for which they are responsible.

The Council will also provide training to all employees to help them understand their rights and responsibilities in relation to dignity at work and what they can do to create a work environment that is free from harassment, bullying and intimidation.

30 WHAT COUNTS AS A DISABILITY ACCORDING TO THE LAW?

The Equality Act 2010 (EA) protects disabled people. The Act sets out the circumstances in which a person is "disabled". It says you are disabled if you have a mental or physical impairment:

- Which has an adverse effect on your ability to carry out normal day-to-day activities
- The adverse effect is substantial
- The adverse effect is long-term (meaning it has lasted for 12 months or is likely to last for more than 12 months or for the rest of your life).

There are some special provisions, for example:

- If your impairment has substantially affected your ability to carry out normal day-to-day activities, but doesn't anymore, it will still be counted as having that effect if it is likely to do so again
- If you have a progressive condition and it will substantially affect your ability to carry out normal day-to-day activities in the future, you will be regarded as having an impairment which has a substantial adverse effect from the moment the condition has some effect on your ability to carry out normal day-to-day activities
- Cancer, HIV infection and multiple sclerosis are covered effectively from the point of diagnosis
- People who have had a disability in the past but are no longer disabled are covered by certain parts of the EA.

WHAT ARE 'NORMAL DAY-TO-DAY ACTIVITIES'?

At least one of these areas must be substantially affected:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Understanding of the risk of physical danger

It's really important to think about the effect of your impairment without treatment. The Act says that any treatment or correction should not be taken into account, including medical treatment or the use of a prosthesis or other aid (for example, a hearing aid). The only things that are taken into account are glasses or contact lenses. The important thing is to work out exactly how your impairment affects you. Remember to concentrate

on what you can't do, or find difficult, rather than what you can do.

For example, if, as a result of a hearing impairment, you experience difficulty hearing someone talking at a sound level that is normal for everyday conversations in a moderately noisy place, it would be reasonable to regard this as having a substantial adverse effect. Being unable to hold a conversation in a very noisy place such as a factory floor would not.

If your impairment affects your mobility, being unable to travel a short journey as a passenger in a vehicle would reasonably be regarded as having a substantial adverse effect. So would only being able to walk slowly or with unsteady or jerky movements. But experiencing some minor discomfort as a result of walking without help for about 1.5 kilometres or a mile would not.

WHAT DOES NOT COUNT AS A DISABILITY?

Certain conditions are not considered impairments under the EA:

- Lifestyle choices such as tattoos and non-medical piercings
- Tendency to steal, set fires, and physical or sexual abuse of others
- Exhibitionism and voyeurism
- Hay fever, if it doesn't aggravate the effects of an existing condition
- Addiction to or a dependency on alcohol, nicotine or any other substance, other than the substance being medically prescribed.

31 ANTI-BRIBERY POLICY

INTRODUCTION

One of the Council's core values is to uphold responsible and fair business practices. It is committed to promoting and maintaining the highest level of ethical standards in relation to all of its business activities. Its reputation for maintaining lawful business practices is of paramount importance and this policy is designed to preserve these values. The Council therefore has a zero-tolerance policy towards bribery and corruption and is committed to acting fairly and with integrity in all of its business dealings and relationships and implementing and enforcing effective systems to counter bribery.

PURPOSE AND SCOPE OF POLICY

This policy sets out the Council's position on any form of bribery and corruption and provides guidelines aimed at:

- Ensuring compliance with anti-bribery laws, rules and regulations, not just within the UK but in any other country within which the Council may carry out its business or in relation to which its business may be connected
- Enabling employees to understand the risks associated with bribery and to encourage them to be vigilant and effectively recognise, prevent and report any wrongdoing, whether by themselves or others
- Providing suitable and secure reporting and communication channels and ensuring that any information that is reported is properly and effectively dealt with
- Creating and maintaining a rigorous and effective framework for dealing with any suspected instances of bribery or corruption

This policy applies to all permanent and temporary employees of the Council (including any of its intermediaries, subsidiaries or associated companies). All employees are expected to adhere to the principles set out in this policy.

LEGAL OBLIGATIONS

The UK legislation on which this policy is based is the Bribery Act 2010 and it applies to the Council's conduct both in the UK and abroad. A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

It is an offence in the UK to:

- Offer, promise or give a financial or other advantage to another person (i.e. bribe a person), whether within the UK or abroad, with the intention of inducing or rewarding improper conduct
- Request, agree to receive or accept a financial or other advantage (i.e. receive a bribe) for or in relation to improper conduct
- Bribe a foreign public official.

You can be held personally liable for any such offence.

It is also an offence in the UK for an employee to bribe another person in the course of

doing business intending either to obtain or retain business, or to obtain or retain an advantage in the conduct of business, for the Council. As well as an unlimited fine, it could suffer substantial reputational damage.

POLICY STATEMENT

All employees are required to:

- Comply with any anti-bribery and anti-corruption legislation that applies in any jurisdiction in any part of the world in which they might be expected to conduct business
- Act honestly, responsibly and with integrity
- Safeguard and uphold the Council's core values by operating in an ethical, professional and lawful manner at all times.

Bribery of any kind is strictly prohibited. Under no circumstances should any provision be made, money set aside, or accounts created for the purposes of facilitating the payment or receipt of a bribe.

The Council recognises that industry practices may vary from country to country or from culture to culture. What is considered unacceptable in one place may be normal or usual practice in another. Nevertheless, a strict adherence to the guidelines set out in this policy is expected of all employees at all times. If in doubt as to what might amount to bribery or what might constitute a breach of this Policy, refer the matter to your line manager or to the Staffing Committee.

BUSINESS GIFTS

For the Council's rules and procedures in relation to the receipt of business gifts from third parties and corporate hospitality offered to or received from third parties, please refer to the Council's Business Gifts policy. They form part of the Council's zero tolerance policy towards bribery and they should be read in conjunction with this policy.

The giving of business gifts to clients, customers, contractors and suppliers is not prohibited provided the following requirements are met:

- The gift is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage
- It complies with local laws
- It is given in the Council's name, not in the giver's personal name
- It does not include cash or a cash equivalent (such as gift vouchers)
- It is of an appropriate and reasonable type and value and given at an appropriate time
- It is given openly, not secretly
- It is approved in advance by the Staffing Committee.

In summary, it is not acceptable to give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given, or to accept a payment, gift or hospitality

from a third party that you know, or suspect is offered or provided with the expectation that it will obtain a business advantage for them.

Any payment or gift to a public official or other person to secure or accelerate the prompt or proper performance of a routine government procedure or process, otherwise known as a "facilitation payment", is also strictly prohibited. Facilitation payments are not commonly paid in the UK but they are common in some other jurisdictions.

RESPONSIBILITIES AND REPORTING PROCEDURE

It is the contractual duty and responsibility of all employees to take whatever reasonable steps are necessary to ensure compliance with this policy and to prevent, detect and report any suspected bribery or corruption in accordance with the procedure set out in the Council's whistleblowing policy, see below. You must immediately disclose to the Council any knowledge or suspicion you may have that you, or any other employee, has plans to offer, promise or give a bribe or to request, agree to receive or accept a bribe in connection with the business of the Council. For the avoidance of doubt, this includes reporting your own wrongdoing. The duty to prevent, detect and report any incident of bribery and any potential risks rests not only with the Council but applies equally to all employees.

The Council encourages all employees to be vigilant and to report any unlawful conduct, suspicions or concerns promptly and without undue delay so that investigation may proceed and any action can be taken expeditiously. In the event that you wish to report an instance or suspected instance of bribery, you should follow the steps set out in the Council's whistleblowing policy, see below. Confidentiality will be maintained during the investigation to the extent that this is practical and appropriate in the circumstances. The Council is committed to taking appropriate action against bribery and corruption. This could include either reporting the matter to an appropriate external government department, regulatory agency or the police and/or taking internal disciplinary action against relevant employees.

The Council will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken. It is also committed to ensuring nobody suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or corruption offence has taken place or may take place in the future.

RECORD KEEPING

All accounts, receipts, invoices and other documents and records relating to dealings with third parties must be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off the record" to facilitate or conceal improper payments.

WHISTLE BLOWING

Whistle Blowing is where an employee raises concerns about underhand or illegal practices within their organisation or an associated organisation. Our policy is to operate within the laws and regulations of this country, and all employees are expected to co-operate with this.

We will offer protection to any employee who honestly and reasonably believes that underhand or illegal practices are taking place, including the prevention of retaliation against good faith whistle blowers as prescribed by the Public Interest Disclosure Act 1988 which provides such workers protection against victimisation or dismissal.

The aim is that the career of any employee should not in any way be harmed or hindered as a result of their disclosure (whether the item reported proves to be true or not, provided the reporting was carried out in good faith).

In addition to reporting an instance or suspected instance of bribery, we would expect all employees to report any of the following: a criminal offence, a failure to comply with a legal obligation, the endangering of an individual's health and safety, damage to the environment, deliberate concealment of information relating to any of these areas.

An employee is encouraged to make a disclosure immediately to the Staffing Committee. When disclosing any concerns, the employee will not be expected to have absolute proof of malpractice but will need to be able to show the reason for their concern.

Any deliberately false or malicious allegations will be taken very seriously, and appropriate disciplinary action will be taken. If an employee has a concern and is unsure whether this is the appropriate procedure for raising it or is unhappy about the final outcome of an investigation, they can contact the independent charity, Public Concern at Work www.pcaw.co.uk on 020 7404 6609 for independent advice or contact our HR advisors.

SANCTIONS FOR BREACH

A breach of any of the provisions of this policy will constitute a disciplinary offence and will be dealt with in accordance with the Council's disciplinary procedure. Depending on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to summary dismissal.

TRAINING

The Council will provide training to all employees to help them understand their duties and responsibilities under this policy. The Council's zero tolerance approach to bribery will also be communicated to all business partners at the outset of the business relationship with them and as appropriate thereafter.

EXAMPLES OF POTENTIAL RISKS

The following is a non-exhaustive list of possible issues which raise bribery concerns and which you should report in accordance with the reporting procedure set out above:

- A third party insists on receiving a commission or fee before committing to signing a contract with the Council, or carrying out a government function or process for the Council
- A third party requests payment in cash, or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made

- A third party requests an unexpected additional commission or fee to facilitate a service
- A third party demands lavish, extraordinary or excessive gifts or hospitality before commencing or continuing contractual negotiations or provision of services
- You are offered an unusually lavish, extraordinary or excessive gift or hospitality by a third party
- You receive an invoice from a third party that appears to be non-standard or extraordinary
- The Council is invoiced for a commission or fee payment that appears large given the service stated to have been provided.

32 BUSINESS GIFTS

As a general policy the Council does not believe that giving and receiving gifts is appropriate to the efficient conduct of its business. There are, however, limited exceptions to this policy.

RECEIPT OF GIFTS

Any employee who is given a gift of any sort by a business contact (e.g. customer, supplier etc. actual or potential), or is invited to any corporate entertainment or event, must disclose the fact of the gift and its nature to the Staffing Committee.

If the Council decides that the gift might constitute a bribe or other inducement, you will be required to give the gift to the Staffing Committee who will return it to the donor with a suitable covering letter.

In other instances, you will be required to return the gift to the donor with a polite note explaining Council policy.

In exceptional cases, for example where the Council decides that the gift was made as a token of the donor's gratitude for a service carried out to very high standards, you will be allowed to retain the gift.

Promotional gifts such as stationery, which are not of significant value, are exempt from this policy and need not be disclosed. However, you are reminded that, since such gifts are sent only to a limited number of employees, they should be distributed to other employees where appropriate.

Failure to disclose gifts will constitute a disciplinary offence, which will be handled in accordance with the Council's formal disciplinary procedure. If the gift in question was of significant value and, for example, the recipient is in a position to influence business dealings with the donor, the offence will be treated as gross misconduct.

GIVING GIFTS

While it is not Council policy to offer gifts to suppliers, customers etc., the Council recognises that, on occasions, this may be necessary – for example, when someone carries out work on a voluntary basis or for a nominal fee.

Equally, it may be decided that a gift would be appropriate if a service has been carried out in an exceptional manner.

In such a case, you should put a request in writing to your line manager stating:

- Who the gift is for
- Why it should be given
- The nature of the gift
- Its approximate value

Employees who send gifts which have not been approved in accordance with this

procedure will not be reimbursed for the cost of the gift. Further, such action may, depending on the circumstances, be treated as a disciplinary offence, which will be dealt with under the formal disciplinary procedure.

33 DATA PROTECTION

Please refer to the GDPR information pack for further information.

34 SEVERE WEATHER / DISRUPTION POLICY

The Council recognises that employees may occasionally face difficulties travelling to and from work due to either severe weather conditions or major disruptions to public transport (for example, train strikes). Whilst the Council is committed to protecting the health and safety of its employees, it must also ensure that its business is not unduly disrupted by external factors. This policy therefore sets out your duty to attend for work during severe weather conditions or where there are major disruptions to public transport and the relevant procedures you must follow.

When severe weather conditions occur or where there are major disruptions to public transport, you should take steps to obtain advice on the position from the appropriate external agencies and allow extra time for your journey, making alternative travel arrangements where appropriate.

In the event of adverse weather conditions, managers must use a common-sense approach in allowing employees to go home early if the employee anticipates difficulties in getting home. Managers should take a low risk approach and employees should not feel compelled to continue to work if it is the employee's opinion that the journey home will be dangerous.

Employees stating that travel into work is impossible or hazardous are to be similarly treated. In this instance lateness is better than absence.

Employees are accountable for taking practical steps in order that they can attend work. For example, if it is not possible to get to their driveway but could park down the road then this should be the chosen option.

Managers should be aware of the impact on an individual's domestic situation, family, school and childcare commitments/provision that may be impacted by bad weather. An employee is entitled to take reasonable unpaid time off to deal with sudden and unexpected problems with a dependant

If it is practical for an employee to work from home or to take work home with no adverse impact on the team then this option should be considered.

If the adverse weather is prolonged, managers may request that annual leave is taken, the time off is made up or where possible, that work is completed at home.

It is understood that there will be variations between functions within the business in applying these guidelines, but these will be minimised wherever possible.

A principle of positive intent should be applied where an employee is unable to attend work due to bad weather, or other disruption. Where the Council accepts that you have used your best endeavours to attend work, but you have been unable to do so, or you are late because of the severe weather conditions or the major disruptions to public transport, your line manager will discuss the options with you. At the Council's discretion, you may be required or permitted to:

- Make up the time at a later date
- Take any absence from work as part of your annual leave entitlement

- Take any absence from work as special unpaid leave (in this case, your pay will reduce accordingly to take account of the hours/days you have not worked)
- Be paid as if you had attended work on the day of absence
- Work from home or otherwise work remotely.

The Council may base its decision on your individual circumstances, for example the distance from your home to your place of work, your mode of transport and how viable it is for you to work from home, and on the needs of the Council.

If you are unable to attend work due to bad weather, you must call your line manager. If your line manager is satisfied that all reasonable attempts to attend work have been made then normal pay will be given. Where it is clear there was low risk and you could have attended, pay may be deducted at the appropriate rate and you will be informed of why.

If you are sent home at the request of your line manager or the Council, you will be paid as if you had attended for the full day.

HEALTH AND SAFETY

The Council is committed to protecting the health and safety of all its employees and this includes during severe weather conditions and where there are major disruptions to public transport and therefore the Council will aim to adopt a reasonable approach to the situation. You also have a duty to take reasonable care of your own health and safety and that of other persons who may be affected by your acts or omissions. This includes taking extra care when travelling to and from work in severe weather conditions and allowing more time for your journey, including making alternative travel arrangements where appropriate.

35 NO SMOKING POLICY

POLICY

It is the Council's policy that all of our workplaces are smoke-free and that all employees have a right to work in a smoke-free environment and not be exposed to second-hand smoke. This is also a statutory requirement. As such, the Council's business premises are no smoking premises and smoking is prohibited in all areas of the workplace and the Council's premises at all times with no exceptions. This also includes Council vehicles. The international "No smoking" symbol will be displayed in all Council vehicles.

Smoking for these purposes includes the use of cigarettes, cigars, pipes, electronic cigarettes (or e-cigarettes) and any other type of smoking.

The Council's policy on smoking applies not only to employees but also to visitors to the workplace, including clients, customers, contractors, suppliers and members of the public.

In addition, the Council wishes to portray a professional image to its clients, customers and suppliers when they visit the Council's business premises. Therefore, employees are not allowed to smoke immediately outside the entrance to or exit from the workplace. The Council logo on any uniform should also not be visible when smoking on the way to or from work.

In addition, when working on behalf of the Council, all staff and sub-contractors are prohibited from smoking within any client or customer premises or within any place where "No smoking" signs are displayed.

If you wish to smoke, you must do this in your own time either outside your normal hours of work or during designated breaks, such as your lunch break. You are not permitted to take additional smoking breaks during the day.

Appropriate 'No Smoking' signs are clearly displayed at the entrances to and within the workplace.

IMPLEMENTATION

Managers and the Staffing Committee are responsible for the implementation of and compliance with this policy and a copy will be provided to all staff. All employees are required to adhere to, and facilitate the implementation of, this policy. Anyone who wishes to report an incident of smoking in the workplace should therefore speak to your line manager or the Staffing Committee.

NON-COMPLIANCE

Employees who are found to be smoking in the workplace in contravention of this policy will be subject to disciplinary action in accordance with the Council's disciplinary procedure. A breach of this policy will be treated as a serious disciplinary offence. Where the smoking constituted a health and safety hazard, then such behaviour will be treated as potential gross misconduct and could render the employee liable to summary dismissal.

If a client, customer, contractor, supplier or member of the public does not comply with this policy, they will be warned that they are committing an offence, requested to immediately refrain from smoking and, if they refuse, they will be asked to leave (or will be ejected from) the premises.

Those who do not comply with the smoking ban are also liable to a fixed penalty fine and possible criminal prosecution and they expose the Council to similar action.

HELP TO STOP SMOKING

Support for smokers who want to stop smoking can be obtained from the NHS Smoking Helpline on 0800 022 4332 (England) or at <http://www.smokefree.nhs.uk> or from your local GP's surgery.

36 LONE WORKERS POLICY

INTRODUCTION

Lone workers spend some or all of their working hours alone for a variety of reasons: they may work in an isolated location, be at a client's or customer's premises, work from home or may simply be working outside normal office hours. In any case, the Council recognises that working alone may involve an increased risk to the health and safety of its employees. As a consequence, the Council has a policy that helps to ensure that it succeeds in its responsibility to manage the risks faced by its employees.

AIMS OF THE POLICY

- To ensure the safety of lone workers when exercising their duties in the absence of any colleagues or supervisors; and
- To ensure that the Council complies with all of its legal obligations.

RISK ASSESSMENTS

The Council will carry out risk assessments on all types of work that are (or are likely to be) undertaken alone with particular regard when doing so to the following factors:

- Equipment (must be suitable and safe for use by one person);
- Location;
- Materials (all materials used must be suitable for use by one person); and
- Proximity to Help.

PROCEDURES

Lone working will only be permitted when approved in advance and when all the following conditions apply:

- Avoid unnecessary out of hours working where possible.
- Notify the Office Manager if you are intending to work outside normal hours.
- Familiarise yourself with your location, fire safety procedures and escape routes in the event of an emergency.
- Where possible ensure that you have keys to all entrances and exits and keep them locked at all times.
- Do not allow unexpected visitors in unless they carry sufficient identification.
- Familiarise yourself with the alarm system at your location.
- Ensure that you leave your contact details with the Office Manager.
- Make sure that people at home are aware of your movements.
- In the event that you feel unwell seek help immediately and if necessary call 999.

37 DRUGS POLICY

INTRODUCTION

Drug misuse is an ever-increasing problem within the workplace. Statistics show that employees who take unlawful drugs are more likely to endanger their fellow workers, have accidents at work, be absent from work and be less efficient than colleagues who do not do so.

AIMS OF THE POLICY

The employees of the Council are its most valuable assets. The Council recognises that, for a number of reasons, employees could develop drug-related problems during the course of their employment. *This policy applies to drugs which are unlawful under the criminal law and not to prescribed medication.*

PROHIBITION ON DRUGS IN THE WORKPLACE

If an employee is found under the influence of drugs at work, there could be serious safety, work and personal consequences (see the section on misconduct).

No drugs must be brought onto or consumed on the Council's premises at any time. Staff must not take drugs if they are required to drive private or Council vehicles on business. Staff must also not take drugs when they are on operational standby or on call.

Staff representing the Council at business functions, providing hospitality or attending Council organised social events outside normal working hours are prohibited from taking drugs on these occasions.

Any breach of these rules will result in disciplinary action being taken which is likely to result in summary dismissal on grounds of gross misconduct.

DRUG-RELATED MISCONDUCT

Action will be taken under the disciplinary procedure if misconduct takes place at work as a result of taking drugs or if an employee is found to be under the influence of drugs whilst at work or is found to have brought drugs on to or consumed drugs on the Council's premises. If an employee is known to be, or strongly suspected of being, intoxicated by drugs during working hours, arrangements will be made for the employee to be sent home for the rest of the day without pay.

Incapacity through drugs at work, which have not been prescribed on medical grounds, is a potential gross misconduct offence under the disciplinary procedure and the employee is therefore liable to be summarily dismissed. This also applies to any employee believed to be buying or selling drugs or in possession of drugs on the Council's premises.

DRUG SCREENING

On the grounds of protecting health and safety and only where necessary to achieve a

legitimate business aim, the Council reserves the right to carry out random drug screening tests on employees in the workplace whose activities and job duties have a significant impact on the health and safety of others. The guidelines promulgated in the Council's equal opportunities policy are to be followed in relation to drug screening.

If an employee receives a positive test result, as stated above, this will be viewed as a potential gross misconduct offence and renders the employee liable to summary dismissal. Refusal to submit to a drug screening test without reasonable excuse will be dealt with through the disciplinary procedure.

OBLIGATION

Employees should be aware of their obligation to report colleagues with a drug problem. They should recognise that collusion or covering up for them represents a false sense of loyalty.

38 HOMEWORKING POLICY

POLICY STATEMENT

The Council promotes flexible working for staff and, where appropriate and at its absolute discretion, may require, or agree to you working wholly or partly from home, provided always that such an arrangement is suitable to the Council and is likely to achieve effective and efficient working by the employee.

The benefits of homeworking to the Council include:

- Control of office space requirement and containment of overhead costs
- Staff attraction, retention and performance
- Promotion of the Council as forward-thinking and able to embrace technology
- Maintaining operational flexibility.

The benefits of homeworking to employees include:

- Promotion of work/life balance
- Job satisfaction
- Flexibility
- Saving of travel costs and time
- Reduced stress.

Homeworking is not a contractual right. It will not be possible to grant it to every employee who applies for it. Homeworking arrangements can only be approved where they can be operationally justified, and employees can meet the criteria specified below.

All requests for homeworking will be considered in accordance with the Council's flexible working policy.

HOMEWORKING CRITERIA

The scheme applies equally to all employees who wish to be considered for homeworking and who have worked for the Council for a continuous period of 26 weeks at the date of application. However, individual requests for homeworking will be assessed on their own merits and agreement will depend on an objective assessment of whether your work can be done from home without any detrimental effect on the Council's ability to meet customer demand and without any detrimental impact on quality or performance. As everyone's job is different, the Council cannot promise that it will be able to accommodate your request to work from home. In addition, the Council always needs to maintain a core of employees who are office-based.

In assessing the potential impact on quality or performance, the Council will also consider the extent to which you hold the right personal qualities and skills suitable for homeworking in accordance with the following non-exhaustive criteria:

- Self-discipline and motivation
- The ability to work without direct supervision
- Level of experience

- Organisational skills
- The ability to manage time effectively and meet deadlines
- The ability to cope with the potentially conflicting demands of work and family
- General reliability, attendance and timekeeping record
- Disciplinary record.

An application for homeworking may be refused by the Council on one or more of the business grounds set out in the Council's flexible working policy.

HOMEWORKING REQUESTS

If you wish to request a homeworking arrangement you should apply using a Flexible Working Application Form obtained from your line manager in accordance with the application procedure set out in the Council's flexible working policy.

The procedure that the Council will follow to consider and determine your homeworking request is also set out in the flexible working policy.

WORK AND CARING COMMITMENTS

You must separate domestic and work activities as far as is practicably possible. Employees with caring responsibilities will be required to demonstrate that the care arrangements for the dependent person do not conflict with work activities. Your line manager must be informed as soon as reasonably possible of any changes to caring arrangements that have implications for the work being undertaken from home.

As there is a need to balance work and home life, you should inform their friends and family about your homeworking arrangements to ensure interruptions are kept to a minimum during the working day.

TERMS AND CONDITIONS OF SERVICE

You will receive the same terms and conditions of service as office-based employees that carry out the same or similar work.

PARTICULAR CONSIDERATIONS

The Council expects homeworkers to telephone their line managers at least once a week or more often, as agreed with their line manager, when they are working from home.

You are also required, on request, to attend the workplace for purposes such as training, performance assessment and appraisals, disciplinary hearings, client visits, team meetings and other business-related meetings and/or for operational reasons. All travel costs and expenses incurred in attending the workplace will be your responsibility. The dates and times of such visits will be agreed in advance.

You must also ensure that you take adequate rest breaks as required under Working Time legislation.

Please note that, when you are working from home, Council policies still apply. For example, the Alcohol and Drugs Policy, you are not to drink alcohol or take drugs during your normal working hours or otherwise whilst working.

When you are participating in a work-related video conference call please note a video call is deemed to be a professional work setting as you are visible to the other participants in the call. Whatever the meeting is for; e.g. staff training, team discussions or meetings with members, clients, customers, or suppliers.

Therefore, when participating in a work-related conference call you must treat the meeting as if it is a face to face one and abide by the following:

- The Council dress and appearance policy.
- Smoking is prohibited on those occasions.
- Eating at your home desk during such calls is prohibited.

You also agree not to undertake activities during working hours that would distract you from your work activities such as:

- Watching TV
- Housework
- Meeting with friends or relatives
- Cooking
- Use of Personal mobiles, tablets, or laptops.
- Sleeping
- Use of gaming consoles.

HEALTH AND SAFETY ISSUES

Every employee who makes a formal application for remote working must agree to a health and safety risk assessment being carried out at their home to identify any adjustments or equipment that may be necessary for them to carry out the work in a safe environment. The Council is obliged to ensure the health and safety of homeworkers in the same way as office-based staff.

All employees who work from home have a duty to ensure, so far as is reasonably practicable, that they work in a safe manner and that they follow all health and safety instructions issued by the Council from time to time.

VISITS TO THE EMPLOYEE'S HOME

The Council reserves the right to visit you at home at agreed times for work-related purposes, including health and safety matters as referred to above. It is a condition of any homeworking arrangement that you agree to accept visits in your home for the purposes of:

- Delivering and collecting work

- Providing a reporting channel
- Monitoring performance
- General discussions about work-related issues
- Ensuring health and safety
- Ensuring confidentiality and security
- Any other work-related purposes that the Council deems appropriate.

EQUIPMENT

The Council will supply the necessary equipment and materials to enable you to work from home and this will be maintained, and replaced when necessary, by the Council. It is your responsibility to ensure that proper care is taken of equipment and materials provided by the Council. For further information, the employee should refer to the use of Council equipment policy. Failure to comply with the terms of that section may result in homeworking being withdrawn.

COSTS OF WORKING FROM HOME

The Council will pay you the HMRC “working from home allowance” of £6/week through expenses.

This amount covers the costs of lighting, heating, telephone and internet accounts associated with the use of any telephone or computer in connection with the Council’s business.

You will pay the costs of connection fees for all telephone and internet connections to your home for work-related purposes.

SECURITY AND CONFIDENTIALITY

You must ensure the security and safekeeping of any confidential information provided by the Council for use in the home working environment. Such information should not be accessible to family or visitors. You are responsible for keeping all confidential information associated with the Council, secure at all times. Confidential documentation belonging to the Council should be kept in a locked cabinet when not in use.

You must not allow members of your family or other third parties to access or use the Council’s equipment, including any computer provided. You must set up and use a unique password for any computer provided.

All employees who work from home have a duty to ensure they follow the Council’s policies and procedures to comply with the General Data Protection Regulation (GDPR) and all other data protection legislation currently in force.

INSURANCE

The Council’s employers’ liability insurance and any other relevant insurance will cover homeworking providing there has been a risk assessment of the proposed working environment.

You are responsible for checking that, where applicable, your mortgage provider or landlord does not prohibit their property from being used for business purposes and that all home and contents insurance policies provide adequate cover for the fact that they work from home. The Council will not be responsible, in any circumstances, for any additional premiums requested by your insurer as a result of the work equipment loaned to the homeworker.

There will be no change to Council Tax or Domestic rates. The Domestic rate is only affected if you are carrying out a business from your home.

TERMINATING THE HOMEWORKING AGREEMENT

Either party may terminate the agreement by giving one month's notice to the other in writing. Both parties may agree a shorter period of notice. Where homeworking is terminated, your line manager is responsible for making arrangements for you to resume their work activities in the workplace. Generally, the agreement may be terminated if you are unable to maintain standards of performance or quality in accordance with the stated criterion as detailed above. In addition, the arrangement may be withdrawn for a business, technical or organisational reason, for example, the detrimental effect it is having on the Council's ability to meet customer demand or planned structural changes within the Council.

MULTIPLE APPLICATIONS

You may apply for remote working on more than one occasion. However, where you have had an application turned down or have been accepted but then subsequently declined the offer, unless expressly authorised or invited to apply by their line manager, no further application can be made within the next twelve months, as set out in the Council's flexible working policy.