



Midsomer Norton Town Council

Council Offices, The Town Hall, The Island, Midsomer Norton, BA3 2HQ

Phone: 01761 418701 **Email:** townclerk@msn-tc.gov.uk

Mayor: Cllr Martyn Plant **Locum Town Clerk:** Lee Jakeman

Date: 3rd March 2025

To: All Members of Midsomer Norton Town Council Staffing Committee

Dear Councillor,

You are summoned to a **Meeting of the Town Council Staffing Committee**, on **Monday 10th March 2025 at 5.30pm** in the Somer Center, Gullock Tying, Midsomer Norton. The meeting will consider the items set out below.

Agenda and papers are available online at: www.msn-tc.gov.uk

Please inform the Town Clerk if you are unable to attend.

Kate Egan
Deputy Town Clerk

Membership: Councillors: W Gregory, S Hughes (Chair), C Lucas, L Robertson, C Scott and M Taylor.

STAFFING COMMITTEE AGENDA – Monday 10th March 2025

1 Apologies for Absence

To receive apologies for absence and approve the reasons given (LGA 1972 S.85(1))

2 Public Session

In accordance with Standing Orders 3(c-e) members of the public may make representations, answer questions, and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. The period of time designated for public participation at a meeting shall not exceed 20 minutes unless directed by the Chair of the meeting. A member of the public shall not speak for more than 3 minutes.

3 Declarations of Interest

Members to declare any interests, including Disclosable Pecuniary Interests they may have in agenda items that accord with the requirements of the Midsomer Norton Town Council's Code of Conduct and to consider any prior requests from members for Dispensations that accord with the Localism Act 2011 s33 (b-e) (NB this does not preclude any later declarations).

4 Minutes

To approve and sign as a correct record the minutes of the previous Staffing Committee meeting held on 10th February 2025 (LGA 1972 sch 12, para 41 (1))

5 Agenda Item

To consider and approve the Employment Handbook and accompanying policies following the review by HR Peninsula (handbook and policies attached)

6 Date of Next Meeting

The next Staffing Committee Meeting will be held on Monday 14th April 2025 commencing at 5.30pm in the Somer Centre, Gullock Tynning, Midsomer Norton.

7 Exclusion of the Press and Public

Proposal under Section 1, Paragraph 2 of the Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

8 Recruitment of the Town Clerk

To receive an update on the recruitment of the Town Clerk.



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Mayor: Cllr Martyn Plant **Locum Town Clerk:** Lee Jakeman

Minutes from the Staffing Committee

Date and Time: Monday 10th February 2025

Place: The Somer Centre, Gullock Tynning, Midsomer Norton

Present: Councillors: W Gregory, S Hughes (Chair), L Robertson, C Scott, and M Taylor.

Absent: Councillor Lucas

Officers: Lee Jakeman (Locum Town Clerk), Kate Egan (Deputy Town Clerk)

Also Present: Nil

The meeting commenced at 5.30pm.

1 Apologies for Absence

Nil

2 Public Session

There being no members of the public present wishing to speak on matters on the agenda, the meeting moved to the next agenda item.

3 Declarations of Interest

Nil

4 Minutes

RESOLVED that the minutes of the previous Staffing Committee meeting held on 13th January 2025 were a correct record of the meeting.

The Chair subsequently signed the minutes.

5 Employee Handbook

Approval of the Employee Handbook was deferred until Peninsula (HR Support) had reviewed the document.

6 Human Resources (HR) Policies

Approval of the policies were deferred until Peninsula (HR Support) had reviewed the documents.

7 Date of Next Meeting

The next Staffing Committee Meeting will be held on Monday 10th March 2025 commencing at 5.30pm in the Small Hall at the Somer Centre, Gullock Tynning, Midsomer Norton.

8 Exclusion of the Press and Public

The Committee **RESOLVED** that under Section 1, Paragraph 2 of the Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Deputy Clerk left the meeting at 5.55pm

9 Town Clerk Recruitment

To note that the role of the Town Clerk has been advertised widely, including on the Council's website, with a closing date of Friday 7th March 2025. Members then revised the recruitment process and confirmed some of the detail. The Clerk was asked to share the recruitment timeline with all members once updated.

The meeting closed at 6.50pm

Employee Handbook and the relevant Policies

Author – Kate Egan (Deputy Clerk and RFO)

Date – 26th February 2025

Background

Report issued for the staffing meeting on 10th March.

At the staffing committee meeting on the 5th of August 2024 (minute number 7), various policies were reviewed and to be brought back to the committee for approval.

There was a further update at the meeting on the 9th of September 2024 (minute number 7) where the employee handbook would be reviewed by WorkNest along with the policies. The updated handbook was received back at the end of 2024.

The HR Policies were last reviewed before the current staff were in place (at least two to three years ago) and regulations have changed since then especially with regard to flexible working arrangements. HR Policies should be reviewed annually.

Employee handbooks ensure that councils comply with employment laws, health and safety regulations, and other statutory requirements. They provide standardised guidelines, ensuring fair and consistent treatment of staff.

Policies help reduce the risk of legal disputes by clearly outlining employment terms, expectations, and procedures.

A new recruitment process is currently in process for a new Town Clerk and having the employee handbook and policies in place will help the new employee understand the council's operations, expectations, and procedures.

Policies attached have been obtained from templates from National Association of Local Councils (NALC), Somerset Association of Local Councils (SALC), Advisory, Conciliation, and Arbitration Service (ACAS), Peninsula HR Support (The Council has now moved from WorkNest to Peninsula for HR Support) and other Councils.

The majority of the policies mentioned in the employee handbook have been produced apart from the following: (these can be approved at a later date)

- Compassionate Leave Policy
- Emergency / Dependents Leave Policy
- Homeworking Policy
- Maternity Leave and Pay Policy – the regulations for this are due to change at the beginning of April.
- Paternity Leave and Pay Policy
- Performance Improvement Policy and Procedure.
- Deduction from pay agreement.

Update

At the staffing committee meeting on 10th March the Employee Handbook and the following policies (listed below) were recommended for approval. The resolution was to pass them via Peninsula first to check they meet the legal requirements, and they were happy with the policies.

Peninsula have now reviewed the Employee Handbook

Copy of an email received on 18th February 2025.

“I just wanted to update you on the progress with reviewing the documents. I have reviewed most of the policies and they all look good so far, however I have not been able to review the full suite of documents as promised. I will be prioritising this over the next few days and ensure all documents are reviewed by close of play Friday at the latest. I do apologise if this has caused any inconvenience on your end. “

Copy of an email received on 21st February 2025

I have now reviewed all of the documents and updated where relevant in line with best practice and current legislation. Any updated made to the documents are marked in red for ease of noticing. I have only attached documents where any updates have been made. In addition to this, I have completed a critique form for the employee handbook detailing some additional terms you can consider including. In addition to this, I have also included below feedback on certain policies.

TRAINING POLICY

– reference to repayment of training – this only applies to non-mandatory training and can be used as a deterrent for any mandatory training. However, if employees were charged for costs of any mandatory training, there could be risks of unlawful deductions from wages, as the employer is responsible for covering costs of any mandatory training.

SICKNESS POLICY

- No trigger points stated in the absence policy reflecting the relevant actions taken. Very important to clearly state what levels of absences in a rolling 12-month period will trigger disciplinary warnings.

SEXUAL HARASSMENT POLICY

– no reference to third party sexual harassment / no reference to informal reporting procedures.

GRIEVANCE POLICY

– ***“if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure.”*** -

Recommendation is to postpone the disciplinary process until the grievance is resolved, however, this depends on whether the grievance is about the disciplinary process or something completely unrelated. Generally, it's best to postpone a disciplinary and deal with a grievance to make sure there is no crossover in the processes and that the outcomes are fair. But you don't need to do this if the issues are clearly very different, with no overlap.

DISCIPLINARY POLICY

- Would recommend including verbal warning into the disciplinary warning stages.
- Recommended period of warning for first written warning is 6 months and final written warning is 12 months.

EMPLOYEE HANDBOOK

- Disciplinary and Grievance policies repeated as there are separate policies already in place.

Policies

Please find below a list of the policies recommending for approval, the policies where amendments were made are shown in red within the policy.

Employee Handbook – Amendments

Manager has been replaced with the word Town Clerk

Line added on page 17 relating to collection of personal data.

Additional lines added on page 18 relating to use of mobile phones in vehicles.

Additional paragraph on page 25 relating to other leave entitlements.

Section 5.3 on page 46 has been shortened as the policy was repeated in the handbook.

Section 5.4 on page 46 has been shortened as the policy was repeated in the handbook.

Annual Leave Policy

Peninsula were happy with this policy.

Anti-bullying and Harassment Policy

Peninsula were happy with this policy.

Carers Leave Policy - amendments.

Additional line added on page 3 relating to purpose and definition of a carer.

Additional paragraphs on page 4 relating to postponement of leave and terms and conditions.

Additional couple of words on page 9 relating to the amount of time a warning is kept on file.

Data Protection Policy

Peninsula were happy with this policy.

Data Protection Privacy Notice

Peninsula were happy with this policy.

Disciplinary Policy - amendments

Additional information on page 4 concerning examples of misconduct and serious misconduct

Equality and Diversity Policy

Peninsula were happy with this policy.

Expenses Policy

Peninsula were happy with this policy.

Flexible Working Policy – amendments

Additional explanations of what is flexible working on page 3.

Additional paragraph on eligibility on page 5.

Additional information on page 6 on withdrawal of application by the employee

Grievance Policy - amendments

Slight amendment on page 3 as per the recommendation

Health and Safety Policy

Peninsula were happy with this policy.

Lone Working Policy

Peninsula were happy with this policy.

Recording of Council Meetings

Peninsula were happy with this policy.

Sexual Harassment Policy - amendments

Peninsula have rewritten the policy.

Sexual Harassment Risk Assessment

Peninsula were happy with this risk assessment.

Sickness Absence Policy - amendments

Additional information on page 8 concerning absence level.

Social Media Policy

Peninsula were happy with this policy.

Training and Development Policy

Peninsula were happy with this policy.

Whistleblowing Policy

Peninsula were happy with this policy.

Recommendation

To consider and approve the Employment Handbook and accompanying policies following the review by HR Peninsula.



Midsomer Norton Town Council

Employee Handbook

Approved: -

WELCOME AND INTRODUCTION

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

About Us

Midsomer Norton is located in Somerset, England, it is a town located 10 miles south-west of the Spa City of Bath and 10 miles north-east of Wells the smallest city in England.

Midsomer Norton Town Council came into existence in May 2011 as a consequence of the Bath and Northeast Somerset (Reorganisation of Community Governance) (Norton Radstock) Order 2011. The Council’s vision is of an inclusive community that has pride in Midsomer Norton, individuals will respect each other and contribute to the wellbeing of the community as a whole.

This handbook

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

The Council recognises the ‘Green Book’ which includes enhancements above the statutory minimum to certain employee benefits. These additional benefits are mainly detailed within your contract of employment, however if detailed within this handbook, they will be clearly identified.

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

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1. KEY PRINCIPLES

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

1.1 Council Code of Conduct

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

Dishonesty

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

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

Refusal to carry out instructions.

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

If you believe that you have been instructed to do something that does not fall within your duties, or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see section 5.4). However, doing so will not prevent a refusal to carry out instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

1.2 Health and Safety

The primary duty owed to you by the Council is to ensure that you are safe while you are at work. Similarly, all employees are obliged to carry out their duties in a safe and responsible manner that does not risk harm to either themselves, their colleagues, or any other person.

A health and safety policy identifying the roles and responsibilities of key staff members for ensuring that the Council meets its commitment to health and safety is available.

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

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

Further information available in the Health and Safety Policy

1.3 Equality

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

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

Further information available in the Equality and Diversity Policy

1.4 Dignity at Work

All employees are entitled to a working environment free from bullying and harassment. The Council takes all allegations of such conduct extremely seriously and will not tolerate harassment or bullying behaviour. Complaints will be dealt with under the Anti-bullying and Harassment Policy and the Sexual Harassment Policy.

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

Midsomer Norton Town Council has signed up to the Civility and Respect Pledge 8th January 2024.

1.5 Ethical Conduct

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

Gifts and Hospitality

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

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

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

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

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

1.6 Whistleblowing

The Council encourages employees to raise any concerns that they may have about any wrongdoing at any level within the business. Wrongdoing in this context means any breach of a legal obligation, risk to health and safety, a criminal offence being committed, a miscarriage of justice occurring or likely to occur, damage to the environment, or an attempt to conceal any of the above.

Any initial concern should be raised with the Town Clerk. However, if this is not appropriate then you should contact another member of the management team who will ensure that your concern is properly addressed.

Employees who raise a concern which is in the public interest under the Whistleblowing policy are entitled not to be subjected to any detriment as a result, however, the employee must reasonably believe that the disclosure they are making is true.

Even if your concern proves to be unfounded you will be protected against any reprisals from the Town Clerk, colleagues, or any other employee of the business. Making a deliberately false allegation, however, against the Council, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

If you are the subject of an allegation of wrongdoing, then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

1.7 Good Faith and Loyalty

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

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

1.8 Data Protection

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

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

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

Further information can be found in the Data Protection Policy

2. HOW WE DO THINGS

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

2.1 Proof of Identity

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

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

2.2 Dress Code

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

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

Employees required to wear uniform.

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

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

Person Protective Equipment

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

2.3 Timekeeping

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

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

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

2.4 Adverse Weather and Traffic Disruption

Adverse Weather

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

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

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

Traffic Disruption

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

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

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

Delayed Return from Holidays

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

If you are unable to travel into work

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

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

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

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

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

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

2.5 **Rest Breaks**

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

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

2.6 **Smoking**

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

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

2.7 **Computer Use – Including the use of email / internet.**

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

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

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

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

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

Internet Use

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

Excessive personal use during working hours will be treated as misconduct. Use of the internet is permitted for personal use over lunchtime so long as the rest of the rules in this policy are adhered to.

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

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

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

Email

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

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

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

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

Privacy

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

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

2.8 Social Media

An employee's behaviour on any social networking or other internet site must be consistent with the behaviour required of employees generally. Where it is possible for users of social media site to ascertain who you work for, then you should take particular care not to behave in a way which reflects badly on the Council.

You must avoid making any social media communications that could damage our business interests or reputation, even indirectly. You must not use social media to:

- defame or disparage us, our staff, or any client or other third party.
- harass (including sexually harass), bully or unlawfully discriminate against staff, clients or other third parties.
- make false or misleading statements; or
- impersonate colleagues or third parties.

Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, the Council will take a particularly serious view of any misconduct that occurs through the use of social media.

You should make it clear in social media postings, or on your personal profile, that you are speaking on your own behalf. Write in the first person and use a personal email address. Be respectful to others when making any statement on social media and be aware that you are personally responsible for all communications which will be published on the internet for anyone to see.

You must not operate a social media account or profile or express an opinion that purports to be operated/made on behalf of the Council without express permission to do so from the Town Clerk. You must not comment on social media about sensitive business-related topics, such as our performance, or do anything to jeopardise our trade secrets, confidential information, and intellectual property. You must not include our logos or other trademarks in any social media posting or in your profile on any social media.

You should not attempt to access social networking sites, such as Facebook/X (formerly known as Twitter) or similar on Council computers. This includes during break times.

Any misuse of social media that you see should be reported to the Town Clerk.

Breach of this policy may result in disciplinary action up to and including dismissal. You may be required to remove any social media content that we consider constitutes a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

2.9 Telephones

Council telephones must be used for legitimate business purposes only.

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

2.10 Alcohol and Drugs

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

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

Dependency

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

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

Drugs

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

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

Medicines and Prescription Drugs

If you are taking prescription drugs or any other medicine that may affect your performance at work or your ability to carry out any of your duties, then you must inform the Town Clerk of this so that steps can be taken to ensure that the work can be done safely. It is your responsibility, when beginning any course of medication, to check whether it may adversely affect your ability to work.

Alcohol

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

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

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

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

Drug, alcohol, and other substance testing

The Council may require you to submit to drug, alcohol and/or other substance testing where there is reason to believe that you may have acted in breach of this policy.

This may include a standard breathalyser test administered by the Town Clerk. Arrangements for blood or urine testing may vary from time to time, but such tests will always be carried out by suitably qualified, independent professionals or specially trained staff.

An employee will be treated as having failed a drug or alcohol test if the test shows the presence of illegal drugs or a level of alcohol in excess of the drink driving limit applicable in England & Wales (**80** mg of alcohol per 100 ml of blood, **35** mcg per 100 ml of breath or **107** mg per 100 ml of urine).

An employee who refuses, without proper excuse, to undergo a test required under this policy will be treated as having failed the test. This failure will be treated as gross misconduct.

Whether a test needs to be conducted is a matter for the Council to decide. In cases where an employee is clearly under the influence of alcohol, drugs, or other substances there is other clear evidence of a breach of this policy then disciplinary action may still be taken even if no test is carried out. **All personal data collected for this purpose will be processed in line with the current Data Protection Act.**

2.11 Driving

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

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

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

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

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

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

You can use a device held in your hand in the following circumstances only:

- you need to call 999 or 112 in an emergency, and it is unsafe or impractical to stop
- you are safely parked
- you are making a contactless payment in a vehicle that is not moving, for example at a drive-through restaurant
- you are using the device to park the vehicle remotely.

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

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

2.12 Expenses

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

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

Further information in the expenses policy

2.13 Council Property

You are not permitted to use Council property for any purpose other than its intended use. Council property must not be removed from the premises unless with prior approval.

Damage to Council Property

Any damage to or loss of Council property must be immediately reported to your Town Clerk.

If, following an investigation, it is found that as a result of your carelessness, negligence, or failure to comply with Council procedures, or by wilful act, the Council suffers loss or damage of cash, stock, fixtures and fittings or property this will be construed as serious breach of the rules, which could result in your summary dismissal on grounds of gross misconduct.

You may also be liable to pay the full, or part, cost of making good the Council's loss in respect of cash, stock, fixtures and fittings, or property.

In the event that the Council makes a claim to its insurers, for repair or replacement, or other losses incurred, it reserves the right to require you to pay any insurance excess that may accrue.

It is an express term of your contract of employment that if Council property is damaged, lost or stolen through your negligence or fault, then the Council may deduct the cost of repair or replacement from your salary.

Before any decision is made to deduct, the matter will be fully investigated, and you will be given an opportunity to state your case and appeal any decision.

Return of Council Property

Upon termination of employment for whatever reason, you must return to the Council all property belonging to the Council including Council vehicle, computer, equipment, keys, records and documents within your possession or control belonging or relating to the affairs and business of the Council and its customers.

The Council may deduct the cost of replacement of any items not returned, or repair of items that are returned damaged, on termination of your employment from your salary or any monies owed to you.

Employees' Property

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

Any loss or theft of items must be reported to the Town Clerk.

Lost Property

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

2.14 General

Statements to the Media

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

Parking

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

CCTV/Security Cameras

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

3. Absence

3.1 Unauthorised Absence

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

3.2 Medical Appointments

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

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

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

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

3.3 Ante-natal Care/Adoption Appointments

Pregnancy Related Appointments

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

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

If your partner is pregnant, you are entitled to unpaid time off for up to two antenatal appointments. If you wish to exercise this right, you should notify the Town Clerk of the date and time of the appointment. You may be asked to provide written evidence that an appropriate appointment has in fact been made.

Adoption Appointments

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

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

3.4 Sickness Absence

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

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

Infectious Disease

An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay whilst absent from work in consequence of this. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.

If an employee contracts an industrial disease or is involved in an accident or assault arising out of, or in the normal course of their employment, this will be considered entirely separately from normal sickness absence and therefore will not be off set against an employee's sick pay entitlement under the sick pay scheme.

Reporting Sickness Absence

If you are too ill to come into work, you should personally inform your line manager of this fact as soon as possible and in any event by no later than 1 hour before your start time. When you phone in sick you must make every effort to speak to the Town Clerk directly. Do not simply leave a message with a colleague or send an email or text. If you need to leave a message for the Town Clerk, then they may contact you during the day to discuss your absence with you.

It is important that you keep in touch with the Town Clerk about the likely length of your absence so that appropriate arrangements can be made for cover and you should phone in sick on every day of your absence unless either you have previously informed the Town Clerk that you will be off sick for a particular period of time or your absence is certified by a 'Fit Note' (Form Med 3).

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reason of hangovers will be regarded as a disciplinary offence which may result in dismissal without notice or payment in lieu. You should also be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

The Council requires any absence of 4 or more calendar days to be certified by a 'self-certification form' (Form SC2). Any absence of more than 7 calendar days must be certified by a 'Fit Note' (Forms Med 3 or Med 10). Uncertified absence may be treated as misconduct and will not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then the Council may require such absence to be certified by a Fit Note at your own expense.

Where you are absent for an extended period of time (three weeks or more) or where you have high levels of short-term absences the Council may refer you to an occupational health professional or seek a medical report from your GP. The purpose of this will be to ascertain when you are likely to be able to return to work and to identify any measures that can be taken to help you return as soon as possible.

Employees who are off sick should not undertake any activities likely to be detrimental to their recovery and should cooperate with the appropriate medical professionals in taking steps to ensure that their recovery is as swift as possible.

The Council will maintain regular contact with employees who are off sick for an extended period.

Employees will be required to attend a return-to-work meeting after any period of sickness absence. The purpose of the meeting is to check on the employee's general health and wellbeing, to catch up with regards to anything that the employee may have missed, and to discuss whether there are any concerns in respect of absence levels.

Annual Leave and Sickness Absence

Employees may request annual leave during any period of sickness absence in the normal way. If you intend to spend any time away from home during your sickness absence, you should inform the Town Clerk of this fact in advance and provide contact details. The Council does not expect employees to take holidays while off sick. In exceptional cases only, where this may assist in an employee's recovery, the Council may agree to holidays being taken during sick leave. It is essential however that any such holidays are agreed in advance with the Council following the normal holiday request procedure.

Phased Return to Work

As an employee recovers from illness or injury it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. The Council will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a bridge between sickness absence and normal working and so any such arrangements will be time-limited and will not normally extend over more than three months.

Alternative Work

The Council may consider agreeing changes to an employee's duties or other working arrangements when it becomes clear that due to sickness or injury, they will not be able to return to normal working. Any such changes will be subject to the needs of the business and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way then the job being done by the employee will need to be reassessed to determine the appropriate level of remuneration. This will then need to be agreed with the employee. If an agreement is not reached, then the Council may proceed to dismiss the employee in accordance with the procedure for long-term sickness absence.

Disability and Reasonable Adjustments

The Council is committed to making reasonable adjustments to an employee's duties or working arrangements where they would otherwise suffer a disadvantage arising from any disability.

In order to make appropriate adjustments the Council needs to know about any disability the employee may have. Employees who feel that they may require an adjustment should discuss their situation with the Town Clerk. Any such discussions will be in the strictest confidence although when an adjustment is made it may be necessary to inform other employees of the reason for this. The extent to which details of any disability will be discussed with other employees will be agreed as part of the process of making the adjustment itself.

The purpose of any adjustment will be to ensure that the employee can work effectively in an appropriate role and on appropriate terms and conditions. The Council is not obliged to maintain an employee's level of pay if hours are reduced or the employee is moved to a less senior role as a result of any adjustment. Nor will the Council agree to an adjustment which will not result in a commercially practicable working arrangement.

Contractual Sick Pay

In addition to Statutory Sick Pay (SSP) the Council also offers an enhanced Sick pay scheme in line with the green book provisions. An employee's entitlement under this scheme is linked to their length of service, and will be as follows:

- During 1st year of service: 1 month's full pay, which after having completed 4 months continuous service, also increases by 2 months' half pay.
- During 2nd year of continuous service: 2 months' full pay and 2 months' half pay.
- During 3rd year of continuous service, 4 months' full pay and 4 months' half pay.
- During 4th and 5th years of continuous service, 5 months' full pay and 5 months' half pay; and
- After 5 years' continuous service, an employee would be entitled to 6 months' full pay and 6 months' half pay.

NB: 'Full Pay' period = Sick Pay shall include SSP and any Incapacity Benefit

'Half Pay' period = Half pay plus SSP and Incapacity Benefit, so long as this total does not exceed an employee's normal pay.

Statutory Sick Pay

If you are sick the Council will pay you Statutory Sick Pay (SSP) if you are eligible. Further details of this are contained within your contract of employment.

3.5 Jury Service/Other Time Off

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

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

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

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

3.6 Compassionate/Bereavement Leave

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

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

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

3.7 Parental Bereavement Leave

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

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

Notification

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

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

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

Parental Bereavement Pay

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

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

Other leave entitlements

In addition to parental bereavement leave if you qualified for:

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

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

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

Eligible employees are entitled to neonatal care leave and pay in line with current statutory provisions. If you need time off in these circumstances, you should speak with the Town Clerk who will explain your entitlements and agree time off.

3.8 Emergency Time Off for Dependants

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

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

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

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

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

3.9 Annual Leave

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

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

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

What notice do I need to give?

All requests for leave should be made with as much notice as possible. The means of requesting leave may change from time to time and you should comply with whatever procedure is in place at the time of the request.

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

Certain times of year are particularly popular times for requesting holiday. Generally, subject to the needs of the business, leave will be granted on a first come first served basis, but exceptions may be made in the interests of ensuring that holiday is spread through the year on a fair and equitable basis.

Our Holiday Year

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

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

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

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

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

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

3.10 Reserve Forces

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

3.11 Carer's Leave

All employees are entitled to one week's unpaid leave in any 12-month period to provide or arrange care for a dependant with a long-term care need. A "week" for these purposes will be equal in duration to the period you are normally expected to work in a week at the time of making the request. How that is calculated will depend on whether you have non-variable or variable hours of work.

A dependant is:

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

A dependant has a long-term care need if:

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

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

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

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

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

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

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

4. Flexible Working and Family Related Leave

4.1 Flexible Working

The Council will try, subject to the needs of the business, to accommodate requests from employees who wish to make changes to their working hours or place of work.

Requests for a change in working arrangements can be made by any employee. Two requests per employee may be made in any 12-month period (which includes requests that have been withdrawn). However, you may have only one live request for flexible working with the Council at any one time. The request must:

- be made in writing and state this is a flexible working request.
- be dated.
- set out the change requested, including when you would like the change to come into effect; and
- set out if and when you have made a previous request for flexible working to the Council.

When a request is received, you will be invited to a meeting to discuss the potential change.

The meeting will normally be conducted by the employee's line manager.

You are entitled to be accompanied by a fellow employee to assist in making any representations that may be appropriate.

The application may be refused on one or more of several grounds, these being that the proposed changes will result in:

- a burden of additional cost.
- a detrimental effect on ability to meet customer demand.
- an inability to re-organise work among existing staff.
- an inability to recruit additional staff.
- a detrimental effect on quality.
- a detrimental effect on performance.
- an insufficiency of work during the periods you propose to work.
- a planned structural change; and
- any other ground allowed by regulations.

Before refusing a request, the Council will consult with you to discuss the application further, which may include exploring any alternatives that may be available. If no agreement is reached and the request is rejected, this will be confirmed in writing and your terms and conditions will remain unchanged, subject to your right to appeal the decision. The process (including any appeal) will be concluded within 2 months of the request being made unless a longer period is agreed.

Any meetings should take place in a spirit of cooperation with both sides seeking to reach agreement on an appropriate way forward.

Any change in working arrangements which results from this process will be confirmed to you in writing.

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

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

4.2 Maternity Leave

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

Notification

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

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

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

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

Start of Maternity Leave

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

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

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

You may change the date on which you intend to start your maternity leave, but you must notify the Council of your new start date at least 28 days before the original date given (or the new date if that is sooner). If there is a reason why you cannot give this notice, then you should explain the situation to an appropriate manager and the Council will attempt to accommodate your changed circumstances. However, the Council may need to insist on delaying the start of your leave until at least 28 days have passed since your notification of a changed date.

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

Duration of Maternity Leave

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

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

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

Dismissal or Resignation

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

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

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

Enhanced Maternity Pay

The Council offers enhanced maternity pay in line with the provisions of the green book. An employee who meets the other qualifying criteria listed in this policy, and who have more than one year's continuous service at the point of the 11th week before the expected week of childbirth will be entitled to enhanced Maternity pay as follows:

- 6 weeks' leave payable at 90% of normal pay.
- 12 weeks' leave payable at 50% of normal pay, plus Statutory Maternity Pay at the relevant rate; (capped at 100% of normal pay) and
- 21 weeks' leave payable at the relevant rate of SMP.

NB: Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

Statutory Maternity Pay

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

To pay SMP, the Council needs to be given at least 28 days' notice that you intend to claim it. This will normally be given when you inform the Council of your intended start date for maternity leave. If it is not possible to give 28 days' notice, you should give as much notice as is reasonably practicable.

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

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

Returning to Work Early

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

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

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

Returning to Work Late

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

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

Maternity Suspension (Health and Safety Reasons)

Depending on the nature of your job, there may be circumstances in which it is unsafe for you to continue working while you are pregnant. In some circumstances the law requires a pregnant employee to be suspended on full pay or transferred to alternative duties. Jobs which may come under this category are identified in the risk assessments that the Council has carried out under its health and safety policy. If you are affected by any health and safety issues connected with your pregnancy, then the Council will discuss any detailed arrangements that need to be made until it is safe for you to return to your original duties.

Maternity Support Leave

Paid Maternity support leave of 5 days will also be granted to the child's father or the partner or the nominated carer of the expectant mother at or around the time of the 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.

4.3 Adoption Leave

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

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

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

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

Notification

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

Your notification should set out:

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

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

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

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

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

Enhanced Adoption Pay

The Council offers enhanced Adoption pay in line with the provisions of the Green book. An employee who meets the other qualifying criteria listed in this policy, and who have more than one year's continuous service at the point of the 11th week before the expected week of childbirth will be entitled to enhanced Adoption pay as follows:

- 6 weeks' leave payable at 90% of normal weekly earnings.
- 12 weeks' leave payable at 50% of normal weekly earnings, plus Statutory Adoption Pay (SAP) at the relevant rate (capped at 100% of normal pay); and
- 21 weeks' leave payable at the relevant rate of SAP.

NB: Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

Statutory Adoption Pay

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

Returning to Work Following Adoption Leave

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

4.4 Paternity Leave

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

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

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

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

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

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

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

4.5 Parental Leave

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

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

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

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

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

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

4.6 Shared Parental Leave

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

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

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

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

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

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

4.7 **Keeping in Touch Days/Shared Parental Leave Days**

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

KIT days and SPLIT days are entirely voluntary, and employees will not be required to take part, nor is the Council under any obligation to arrange for KIT or SPLIT days.

Payment, or equivalent paid time off in lieu of working on such days, will be as agreed between the Council and the employee at the time the KIT or SPLIT day is arranged, but will be deemed inclusive of any statutory pay entitlement and will not be less than the national minimum wage.

4.8 **During Maternity/Adoption or Shared Parental Leave**

The Council is keen to keep in touch with employees who are on extended periods of leave, to inform them of any news and consult them over any changes which may take place in the business. However, we appreciate that many employees would prefer to be left alone at this very important time in their lives. In order to get the balance right, the Town Clerk may, before your leave begins, discuss with you how best we can keep in touch while you are away.

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

5. **How we resolve issues**

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

5.1 **Performance Improvement Procedure**

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

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

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

The Right to be Accompanied.

Employees are entitled to be accompanied at any formal meeting held under this procedure by a fellow employee or trade union official of their choice. The Council will provide any chosen companions with appropriate paid time off to allow them to attend the meeting. It is, however, up to the employee in question to arrange for a companion to attend the meeting.

If your chosen companion cannot attend on the day scheduled for the meeting, then the Council will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The Companion's role is to advise you during the meeting and make representations on your behalf. However, both you and your companion are required to cooperate in ensuring a fair and efficient meeting. The companion is not entitled to answer questions on your behalf.

Stage One

The employee's line manager will inform them of the nature of the problem and confirm this in writing. The employee will be invited to a formal performance management hearing to discuss the issues raised by the manager's concerns. The invitation will set out the respects in which the employee's manager believes that the employee's performance still falls short of an acceptable standard. The hearing will be conducted by the employee's line manager and will consider any representations the employee may make about their performance, whether it needs to be improved, and if so, what steps can be taken to help the employee reach the appropriate level.

Following discussion of the problem, the line manager may choose to take no further action; to refer the matter for investigation under the disciplinary procedure (if it appears the issues are linked to conduct rather than performance) or to issue a **written warning** and Performance Improvement Plan which will remain current for a period of 12 months.

In the case of the Town Clerk, where this policy refers to line manager, it shall mean the Chair of the Council or the Chair of the Staffing Committee instead.

Performance Improvement Plan

A Performance Improvement Plan (PIP) is a series of measures designed to help improve the employee's performance. Each measure will ideally be agreed with the employee, though the Council reserves the right to insist on any aspect of the PIP in the absence of such agreement.

Each PIP will be tailored to the particular situation, but will contain the following elements:

Timescale: the overall timescale in which the necessary improvement must be achieved will be set out, together with the timescale for reaching individual milestones where appropriate.

Targets: The PIP will specify the particular areas in which improvement is needed and set out how and on what criteria the employee's performance will be assessed. Where appropriate, specific targets will be set which will need to be achieved either by the end of the plan or at identifiable stages within it.

Measures: The PIP will specify what measures will be taken by the Council to support the employee in improving their performance. Such measures may include training, additional supervision, the reallocation of other duties, or the provision of additional support from colleagues.

Feedback: As part of the PIP the employee will be given regular feedback from their line manager indicating the extent to which the employee is on track to deliver the improvements set out in the plan

If at any stage the Council feels that the PIP is not progressing in a satisfactory way, a further meeting may be held with the employee to discuss the issue. As a result of such a meeting the employer may amend or extend any part of the plan.

Review

At the end of the PIP the employee's performance will be reviewed. If satisfactory progress has been made the employee will be notified of this fact in writing. If the manager feels that progress has been insufficient, then they may decide to extend and/or amend the PIP to such extent as seems appropriate. Alternatively, the manager may refer the matter to a meeting under Stage Two of this procedure.

Following the successful completion of a PIP the employee's performance will continue to be monitored. If at any stage during the lifetime of the first written warning the employee's performance again starts to fall short of an acceptable standard, their line manager may decide to institute stage two of this procedure.

Stage Two

If a PIP has not led to sufficient improvement in the employee's performance, the employee will be invited to attend a formal performance management hearing. The invitation will set out the respects in which the line manager believes that the employee's performance still falls short of an acceptable standard.

The hearing will be conducted by a member of the senior management team.

At the hearing, the employee will be given an opportunity to respond to any criticism of their performance and to make representations about any aspect of the way in which the process has been managed.

If the hearing concludes that reasonable steps have been taken which should have allowed the employee to perform to an acceptable standard but that these measures have not worked, then a **formal final warning** may be issued. The warning will explain the nature of the improvement which is required in the employee's performance and state that the improvement must be immediate and sustained. It will also explain that if this improvement does not take place, then the employee may be dismissed. Where it is appropriate, the warning may be accompanied by an extended or revised PIP.

The warning will remain current for a period of 12 months, after which time it will cease to have effect.

Stage Three

If an employee has been issued with a warning under Stage Two which remains current, and the appropriate manager believes that the employee's performance is still not acceptable then the matter may be referred to a further performance management hearing.

The employee will be informed in writing of the grounds of which the hearing is being convened and in particular will be told of the respects in which their performance continues to fall below an acceptable standard.

The hearing will be conducted by an appropriate manager.

At the meeting the employee will be able to respond to any criticisms made of their performance and make representations about how the situation should be treated.

The manager conducting the meeting may take such action as is judged appropriate up to and including a decision to dismiss the employee.

Any dismissal under this procedure will be with notice or payment in lieu of notice and the decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee.

Appeals

An employee may appeal against any decision taken under this procedure. The appeal should be submitted in writing stating your full grounds of appeal within one week of the decision being communicated. An appeal hearing will then be convened to consider the matter. Any PIP that is in force, together with any measures or objectives included within it, will continue in place during the appeal process.

The outcome of the appeal will be confirmed to the employee in writing explaining the grounds of which the decision was reached. The outcome of the appeal will be final.

Redeployment

There may be circumstances in which it becomes clear that an employee would be better suited to a different role within the Council. However, any offer to redeploy the employee will be entirely at the Council's discretion and will only be made when the Council is confident that the employee will be able to perform well in the redeployed role and where there is a suitable available vacancy.

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

5.2 Sickness Absence Procedure

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

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

Short-term Absence

An employee who the Council considers having an excessive sickness absence record will be spoken to informally and usually have specific attendance targets set and be advised if these are breached, they will be invited to a meeting to discuss their attendance.

The meeting will usually be conducted by the employee's line manager and the employee will have a right to be accompanied by a fellow employee or a trade union official on the same basis as set out in the performance management procedure.

At the meeting the employee will be asked to explain the level of their absence. Where there is any indication that the absences are caused by an underlying medical condition then the matter may be dealt with under the procedure for long-term absence set out below. The Council may also seek medical evidence from either the employee's doctor or an occupational health specialist in which case the meeting will be adjourned for a report to be obtained.

Subject to any medical evidence, the manager conducting this first-stage meeting may decide to issue a warning to the employee setting out the Council's expectations regarding attendance and indicating the level of improvement needed. A review period will normally be set which may range from one month to 12 months depending on the circumstances.

If the employee's attendance does not improve to the extent required, they may at any stage in the review period be invited to attend a second-stage meeting to discuss the matter. The meeting will again be conducted by the line manager and the employee will be entitled to be accompanied by a fellow employee or trade union official. This meeting may result in an extension of the review period, or the issuing of a final written warning requiring the employee's attendance to improve and setting out the level of improvement required over a specified period of up to one year.

If the employee does not meet this standard and there is no underlying condition where reasonable adjustments would assist the employee to attend, then they may be dismissed. A final meeting will be convened which shall be conducted by a manager with appropriate authority to dismiss and will consider any representations made by or on behalf of the employee who will once again have the right to be accompanied by a fellow employee or trade union official.

Any dismissal arising out of this meeting will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within five working days of the decision being communicated.

In the case of the Town Clerk, where this policy refers to line manager, it shall mean the Chair of the Council or the Chair of the Staffing Committee instead.

Long-term Sickness Absence

Where an employee is absent for an extended period – or it is clear that their absence is likely to continue for some time – then the Council will want to investigate the prospects for their return and consider what actions can be taken to facilitate this. The extent to which the Council can continue to accommodate an employee's absence will depend on a range of factors, including the role of the employee and the prevailing circumstances of the business.

The Council may seek medical advice as to the employee's condition either from the appropriate professionals caring for the employee or from a specialist occupational health practitioner. The focus will be on ascertaining when the employee will be able to return to work and what steps the Council can take to facilitate this.

An employee is not obliged to consent to any medical reports or records being shared with the Council as part of this process. However, in the absence of medical evidence the Council will have to work on the basis of what information is available in reaching its decision.

One or more meetings will be arranged with the employee to discuss their condition, the prospects for any return to work, and whether anything more can be done by the Council to help. The employee will be entitled to be accompanied at the meeting by a fellow employee or trade union official.

Every effort will be made to make suitable arrangements for the meeting to allow the employee to attend. Where the employee is simply too ill to take part in the process, however, the Council may proceed to dismissal in the absence of a meeting taking into account any representations made on the employee's behalf.

Where it appears that the employee will be unable to return to work within a reasonable time frame then the Council may need to consider dismissal. Any dismissal will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within five working days of the decision being communicated. You should submit your appeal in writing stating your full grounds of appeal.

5.3 Disciplinary Procedure

The Council always tries to deal with disciplinary issues fairly and promptly. The Disciplinary policy sets out the framework under which allegations of misconduct will be investigated and considered.

While the procedure set out in this policy will be appropriate in most cases, there may be situations in which it is not practicable to comply with a particular requirement of it. When this happens, the Council will do its best to deal with the matter fairly and will pay particular attention to the need to give the employee every opportunity to explain their version of events.

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

5.4 Grievance Procedure

The Council aims to be responsive to concerns raised by employees and if you are unhappy with something affecting you at work you are encouraged to raise this with the Town Clerk or in the case of the Clerk this should be addressed to the Personnel Committee on an informal basis. If that is not possible then you should speak to another manager who will try to assist you in resolving any issue you may have.

The grievance policy is designed to be used when these informal attempts to resolve any dispute have not been successful.

Any written complaint or grievance raised which alleges that a member or co-opted member of the authority has failed to comply with the authority's Code of Conduct will be dealt with under the Code of Conduct Procedure.



MIDSOMER NORTON TOWN COUNCIL
ANNUAL LEAVE POLICY

Model policy from NALC updated 9th August 2024

Approved: -

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Annual leave entitlement

Your paid leave entitlement is set out in your contract of employment. The basic leave entitlement for a full-time staff member is 5.6 weeks (20 days per annum in addition to 8 Bank holidays). Part-time employees receive a pro-rated entitlement, of both annual leave and bank holidays, according to their hours of work.

The council adopts the Green Book terms and conditions of employment. Staff receive an additional four-day entitlement after five years of continuous service. Furthermore, employees have an entitlement to two extra statutory days' leave which may be taken on specific days or added to the annual entitlement. In addition, with effect from 1 April 2023, there will be an increase of 1 day's leave for all employees meaning the green book entitlement is 23 days (pro-rated for part-time workers). After five years of continuous service the entitlement increases by an additional three days.

Public and Extra Statutory Holidays

Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid at plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:

- Time worked less than half the normal working hours on that day — half day.
- Time worked more than half the normal Working hours on that day — full day.

Working part-time

If your pro-rata'd entitlement to Bank Holidays exceeds the number of days that fall on your normal working days (typically because you don't work on Mondays), you will be able to take the excess as leave. If your entitlement to Bank Holidays is less than the number of Bank Holidays that fall on your normal working days (typically because your normal working days include Mondays), then you can make up the difference by using your leave entitlement. With agreement from the clerk (or the council in the case of the clerk), you may be able to work additional hours to make up the deficit or take unpaid leave.

Variable hours workers

Statutory minimum holiday entitlement is based on 5.6 weeks of holiday per holiday year, including bank and public holidays. Any holiday entitlement over and above 5.6 weeks will be pro-rated based on hours, days, and weeks worked. Where variable hours are worked, the actual weekly holiday entitlement will be calculated on a pro-rata basis depending on the average number of hours worked per week, over a 52-week reference period, excluding any weeks when no work has been undertaken.

Rolled up Holiday Pay

It is not permissible to "roll-up" holiday pay into basic pay, i.e. pay an employee a higher hourly, daily or weekly wage, part of which is designated as holiday pay, with the result that, when the employee goes on leave, they receive no pay.

Leave year.

The leave year runs from 1st April to 31st March. It is your responsibility to manage your leave in such a way that you can take it all during the leave year. Your annual leave entitlement will be pro-rated in your first and last year of employment with the council.

Carrying over leave

Except in the very rare circumstances of a booked and agreed period of leave being cancelled at the council's request, it is not possible to carry over unused days of leave from one leave year to the next, nor will any payment be made for leave unused at the end of a leave year. Thus, leave untaken at the end of a leave year is lost.

Requesting leave

You should request leave from the clerk (or the council in the case of the clerk), with as much notice as possible. This will allow the council to plan workloads. Before granting leave we will consider:

- The team's workload,
- The need for office or team cover, and,
- Whether other staff have or are likely to ask for the same time off (e.g. a popular holiday time).

The clerk/council will balance your needs against the needs of other staff before agreeing to leave. If you take leave without such permission, it will be treated as an unauthorised absence and dealt with under the Disciplinary Procedure.

Refusal of annual leave on a day that has religious significance for a particular employee may amount to indirect discrimination under legislation.

Sickness during leave

If you become ill during a period of paid annual leave, you must comply with the requirements of the sickness reporting and certification procedure if you wish to have this sickness period discounted from the period of paid leave taken. It is important that you contact the Clerk (or the Council in the case of the Clerk), on the first day of sickness and keep the council up to date during the period of sickness.

Payment of annual leave

If you work regular hours or a full year, holiday pay will be the same as the pay you will have received if you had been at work and working.

If you work irregular hours or part year will receive holiday pay that is based on an entitlement that is calculated at 12.07% of actual hours worked in the relevant pay period using a 'reference period' of 52 weeks (or to the start date if this is less than 52 weeks). A pay period is the frequency an employee is paid.

The Council operates rolled up holiday. An employee who is an irregular hours or part year worker will receive a payment in each pay period in lieu of taking annual leave.

Payment in lieu

The council cannot offer payment in lieu of leave entitlement unless you are leaving the council and have not taken leave entitlement that you have accrued at the time of leaving.

If you leave during the course of a leave year and cannot take any outstanding accrued leave before your last day, you will receive a payment in lieu of any outstanding accrued leave. In such a case, a calculation will be made of the amount of paid leave due to you, on a pro rata basis, for that part of the leave year up to the date of termination of the contract. Holiday pay will be based on your current rate of pay including any regular overtime.

If, however, you have taken more paid leave than is due by this calculation, then a deduction will be made from your salary payments for an amount at your basic daily rate for the days in question. Such a deduction will be deemed to be a contractually authorised deduction.

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**MIDSOMER NORTON TOWN COUNCIL
ANTI-HARASSMENT AND BULLYING POLICY**

Approved: -

This is a NALC model policy updated 9th August 2024 with bits added from Peninsula policies

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Introduction

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

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

Personal harassment takes many forms but whatever form it takes, it is unlawful under the Equality Act 2010 and will not be tolerated.

For information on our zero-tolerance approach to sexual harassment in the workplace, including what behaviour can amount to sexual harassment, third-party sexual harassment and what to do if you witness or are subject to sexual harassment, you should read our separate Sexual Harassment Policy.

Policy

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

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

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

What type of treatment amounts to bullying or harassment?

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

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

Examples of bullying and harassment include:

- Verbal abuse or offensive comments, jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation.

- Lewd or suggestive comments
- Deliberate exclusion from conversations or work activities
- Withholding information, a person needs in order to do their job.
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling.
- Rifling through, hiding or damaging personal property
- Subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others
- Abusing a position of power

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

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

Reporting concerns

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

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

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

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

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

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

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

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

Informal resolution

If you are being bullied or harassed you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask the Clerk, a colleague or another councillor to put this on your behalf or to be with you when confronting the perpetrator(s).

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

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

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

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

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of harassment or in cases where a problem has happened before) the council may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint

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

The Clerk or the Chair of the Council will appoint someone to investigate your complaint. You will need to co-operate with the investigation and provide the following details (if not already provided):

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

... against a colleague or contractor

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

... against a member of the public or supplier

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

... against a councillor

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

During the investigation

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

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

Hearing

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

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

Victimisation

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

False allegations

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

Disclosure and confidentiality

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

Use of the disciplinary procedure

Harassment and bullying constitute serious misconduct. If, at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.

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MIDSOMER NORTON TOWN COUNCIL

CARERS LEAVE POLICY

Model policy from NALC updated 9th August 2024

Approved: -

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Eligibility

All eligible employees, regardless of hours worked or length of service, have the right to take a maximum of one week's unpaid leave during any 12-month period to provide or arrange care for a dependant with a long-term care need.

The entitlement to a maximum of one week's unpaid leave is irrespective of the number of dependants and may be taken as either a continuous block, or individual full or half days within 12 months.

Purpose and Definition

The time off is intended to be absence from work to provide or arrange care for a dependent with a long-term care need, or who reasonably relies on the employee for care.

A "dependant" is a parent, spouse, civil partner, child, or someone who lives in the same household as the employee, but excluding tenants, lodgers or boarders, or someone who is employed by the employee **or a person who reasonably relies on you to provide or arrange care. This could be, for example, an elderly neighbour.**

Long term care is when the dependant has:

- any physical or mental illness or injury that requires or is likely to require care for more than three months.
- a condition or illness that is considered a disability under with the Equality Act 2010
- care needs connected with their old age.

Entitlement

For employees who work regular hours, a "week of carer's leave" is the period of absence from work that is equal in duration to the period the employee is normally expected or required to work in a week at the time of making the request.

Part time employees who work regular hours throughout the year will be entitled to a proportionate amount of leave based on their hours. For example, someone who works a 3-day week, will be entitled to 3 days unpaid carer's leave.

For employees who work variable hours and/or term time, we will calculate entitlement by using actual hours worked in a 'relevant period'. A 'relevant period' as defined by the Regulations is a period of 12 months which ends on the last day of the Carer's Leave that the employee has requested. To calculate, the company will divide the total of the periods for which the employee is normally required to work during the course of a week in the relevant period by 52. For new starters with less than 52 weeks service, this calculation will be based on the length of time that they have been employed with the company.

Requesting Leave

To help the Council to manage the planned absence from work, if you intend on taking a period of leave, you required to provide notice that is double the length of time that is being requested or at least three days in advance, whichever provides the greater amount of notice.

Postponement of leave

The Council reserve the right to postpone carer's leave if we believe that the absence would unduly disrupt the Council. If we deem it necessary to postpone carer's leave, we will notify you in writing within seven days of receipt of your request for carer's leave, setting out the reason for the postponement.

We will also offer alternative dates on which carer's leave can be taken. The leave will not be postponed later than one month after the start of the original request.

The Council will consult with you before determining a new date for you to take the carer's leave requested. The new period of carer's leave will be for the same length of time as the original request.

Failure to follow the Council's procedures for taking carer's leave could lead to disciplinary action under our disciplinary procedure for absence without leave.

Terms and Conditions

During the time off, you continue to be bound by and remain entitled to the benefit of your normal terms and conditions of employment, except for terms relating to wages or salary. You will remain employed by us and accrue unbroken continuity of service and continue to accrue holiday entitlement.

Employees who request or take time off under this policy for reasons other than those for which the statutory right to carer's leave is intended may be subject to investigation and subsequent disciplinary proceedings.



MIDSOMER NORTON TOWN COUNCIL

DATA PROTECTION POLICY

Adopted: - 6th December 2023

To Be Reviewed: - 2025

Midsomer Norton Town Council is registered with the Information Commissioner as a Data Controller

It is the policy of the Town Council to comply with the eight principles of Data Protection as set out below.

1. Data must be obtained fairly and lawfully

This means that information should be 'fairly processed' i.e. when information is collected, the Town Council should be honest and open about why the information is wanted.

2. Data must be held only for specific and lawful purposes and not processed in any matter incompatible with those purposes

This means that the Town Council must have a legitimate reason for processing the data. It will explain (in most cases in writing): that the request is from the Town Council and what the Town Council intends to use the information for and to whom the Town Council intends to give the personal data to. This may be a specific third party, or may be a more general description such as "other Councils" etc.

3. Data must be relevant, adequate and not excessive for those purposes.

The Town Council will monitor the quantities of data held and ensure that they hold neither too much nor too little. The Town Council will only hold the data which that is actually needed.

4. Data must be accurate and where necessary kept up to date.

All Personal data should be accurate. If it is not, it will be corrected.

5. Data must not be kept for longer than necessary

Only in exceptional circumstances should data be kept indefinitely. The Town Council has a system of removal of different categories of data from its records after certain periods, for instance, when the information is no longer required for audit purposes.

6. Data should be processed in accordance with the rights of data subjects under this Act.

This means that individuals must be informed, upon request, of all the information held about them. They can prevent the processing of data for direct marketing purposes and are entitled to compensation if they have been caused damage by any contravention of the Act.

7. Security precautions in place to prevent the loss, destruction or unauthorised disclosure of the data.

The Town Council will ensure that there is adequate security for the data taking into account the nature of the data, and the harm to the data subject which could arise from disclosure or loss of the data. A system of passwords should be in use to ensure that only staff who are authorised can gain access to personal data.

8. Not to transfer data outside the European Economic Area unless you are satisfied that the country in question can provide an adequate level of security for that data.

The Town Council is unlikely to have a need to transfer data overseas.

The Act defines eight categories of sensitive personal data. These are: -

- a) the racial or ethnic origin of data subjects.
- b) their political opinions,
- c) their religious beliefs or other beliefs of a similar nature,
- d) whether they are a member of a trade union,
- e) their physical or mental health or condition
- f) their sexual life,
- g) the commission or alleged commission by them of any offence, or
- h) any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings.

The Town Council does not hold such information and is unlikely to request such information.

Subject Access Requests

All subject access requests will be dealt with promptly and in any case within one calendar month from the date of receipt. If further information is required from the subject to complete the request, the calendar month will begin when this further information is received. The requests are now free of charge.

In response to a subject access request, individuals are entitled to a copy of the information held about them, both on computer and as part of a relevant filing system. They also have the right to receive a description of why their information is processed, anyone it may be disclosed to, and any information available to the Town Council about the source of the data.

Useful Contacts:

Information Commissioner

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone 0303 123 1113

Website: www.ico.gov.uk

Midsomer Norton Town Council Privacy Notice

We regard your privacy as important and comply with the Data Protection Act 1998 and the General Data Protection Regulations (GDPR) 2018.

We record personal information if you:

- Report a problem and give your details for us to respond.
- Contact us and leave your details for us to respond.

We collect and hold information about you to:

- Contact you by email, post, or telephone.
- Understand your needs to provide the information or service you request.
- Understand what we can do and inform you of other relevant services.

How we use your information:

- We only use any personal information you send us for the purpose you provide it. We will respect the confidentiality of your data, and all your communications to us are protected against unauthorised access by third parties. We will, on request, erase or amend your details.

Information sharing:

- We may need to pass on your information to other people to answer your query.

Your rights:

- You have the right to request access to any information we have about you. If you wish to amend or update your information you can contact the Town Clerk by email on: townclerk@msn-tc.gov.uk or telephone on 01761 418701.

To sum up:

- In accordance with law, we only collect the limited information about you that is necessary for correspondence and information. We will not sell your data and will not pass on your data to third parties without your permission. We will delete all information deemed to be no longer necessary. We will constantly review this Privacy Policy to keep it up to date in protecting your data.

Complaints:

- If you have a complaint regarding the way your personal data has been processed, you may make a complaint to the Town Clerk: townclerk@msn-tc.gov.uk or telephone on 01761 418701.



MIDSOMER NORTON TOWN COUNCIL DISCIPLINARY POLICY

Approved: -

This is a NALC model policy updated 9th August 2024

Introduction

- 1 This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).
- 2 It also takes account of the ACAS guide on discipline and grievances at work. https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf
- 3 The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
- 4 The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
- 5 This policy confirms:
 - informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance.
 - the Council will fully investigate the facts of each case.
 - the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information see ACAS "Performance Management" at <https://www.acas.org.uk/index.aspx?articleid=6608>
 - employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case.
 - employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
 - employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
 - the Council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken.

An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions.

- if the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within 7 calendar days of the original meeting date unless it is unreasonable not to propose a later date.
- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council.
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
- employees have the right to appeal against any disciplinary decision. The appeal decision is final.
- if an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure.
- disciplinary action taken by the Council can include a written warning, final written warning or dismissal.
- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this.
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct.
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it,
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties.

Examples of misconduct

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

- unauthorised absence
- poor timekeeping
- misuse of the Council's resources and facilities including telephone, email and internet
- inappropriate behaviour
- refusal to follow reasonable instructions.
- breach of health and safety rules.
- Smoking in designated non-smoking areas.
- Consumption of alcohol on the premises.
- rudeness towards clients, members of the public or other employees, objectionable or insulting behaviour, harassment, bullying or bad language.
- failure to devote the whole of your time, attention and abilities to our business and its affairs during your normal working hours.
- unauthorised use or negligent damage or loss of our property.
- failure to report immediately any damage to property or premises caused by you.

Serious misconduct

Where one of the unsatisfactory conduct or misconduct rules has been broken and if, upon investigation, it is shown to be due to your extreme carelessness or has a serious or substantial effect upon our operation or reputation, you may be issued with a final written warning in the first instance.

You may receive a final written warning as the first course of action, if, in an alleged gross misconduct disciplinary matter, upon investigation, there is shown to be some level of mitigation resulting in it being treated as an offence just short of dismissal.

Examples of gross misconduct

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

- bullying, discrimination and harassment
- incapacity at work because of alcohol or drugs
- violent behaviour
- fraud or theft
- gross negligence
- gross insubordination

- serious breaches of council policies and procedures e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology
- serious and deliberate damage to property
- use of the internet or email to access pornographic, obscene or offensive material.
- disclosure of confidential information.

Suspension

- 8 If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.
- 9 While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or councillor.
- 10 The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

- 11 The following list contains some examples of unsatisfactory work performance: The list is not exhaustive.
- inadequate application of management instructions/office procedures
 - inadequate IT skills
 - unsatisfactory management of staff
 - unsatisfactory communication skills.

The Procedure

- 12 Preliminary enquiries_ The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.
- 13 If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

- 14 Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

- 15 A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
- 16 If a formal disciplinary investigation is required, the Council's staffing committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the staffing committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The staffing committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
- the allegations or events that the investigation is required to examine.
 - whether a recommendation is required
 - how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report.
 - who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
- 17 The Investigator will be asked to submit their findings usually within 35 Calendar days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary, and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).
- 18 The staffing committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that they have reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when they meet with

the Investigator, they will have the opportunity to comment on the allegations of misconduct.

- 19 Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
- 20 If there are other persons (e.g. employees, councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
- 21 The Investigator has no authority to take disciplinary action. Their role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the staffing committee whether or not disciplinary action should be considered under the policy.
- 22 The Investigator's report will contain their recommendations and the findings on which they were based. They will recommend either:
 - the employee has no case to answer and there should no further action under the Council's disciplinary procedure.
 - the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or
 - the employee has a case to answer, and a formal hearing should be convened under the Council's disciplinary procedure.
- 23 The Investigator will submit the report to the staffing committee which will decide whether further action will be taken.
- 24 If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

- 25 If the staffing committee decides that there is a case to answer, it will appoint a staffing sub-committee of 3 councillors, to formally hear the allegations. The staffing sub-committee will appoint a chairman from one of its members. The Investigator shall not sit on the sub-committee.
- 26 No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:
 - the names of its chairman and other two members
 - details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting.
 - a copy of the information provided to the sub-committee which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure.

- the time and place for the meeting. The employee will be given reasonable notice of the hearing so that they have sufficient time to prepare for it
- that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least 2 working days before the meeting.
- that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

27 The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

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

28 The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within 7 calendar days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.

29 The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

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

First written warning

31 If the employee's conduct has fallen beneath acceptable standards, a first written warning will be issued. A first written warning will set out:

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement.
- that further misconduct/failure to improve will result in more serious disciplinary action

- the employee's right of appeal
- that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 6 months).

Final written warning

- 32 If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:
- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement.
 - that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
 - the employee's right of appeal
 - that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal

- 33 The Council may dismiss:
- for gross misconduct
 - if there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning.
 - if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.
- 34 The Council will consider very carefully a decision to dismiss. If an employee is dismissed, they will receive a written statement of the reasons for their dismissal, the date on which the employment will end and details of their right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal

- 35 An employee who is the subject of disciplinary action will be notified of the right of appeal. Their written notice of appeal must be received by the Council within 7 calendar days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.
- 36 The grounds for appeal include.

- a failure by the Council to follow its disciplinary policy.
 - the sub-committee's disciplinary decision was not supported by the evidence.
 - the disciplinary action was too severe in the circumstances of the case.
 - new evidence has come to light since the disciplinary meeting.
- 37 Where possible, the appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of 3 members of the Council who may include members of the staff committee. The appeal panel will appoint a chairman from one of its members.
- 38 The employee will be notified, in writing, within 14 calendar days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
- 39 At the appeal meeting, the Chairman will:
- introduce the panel members to the employee.
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision.
 - explain the action that the appeal panel may take.
- 40 The employee (or companion) will be asked to explain the grounds for appeal.
- 41 The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
- 42 The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.
- 43 If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.
- 44 The appeal panel's decision is final.



MIDSOMER NORTON TOWN COUNCIL EQUALITY AND DIVERSITY POLICY

Model Template from NALC 24th September 2024

Approved:

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DRAFT

Our commitment

The council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist the council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion, or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

The council will not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation, or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they don't, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, and selection for redundancy.

Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

Working practices

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Equal opportunities monitoring

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

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

Anti-bullying and harassment

The council has a separate policy concerning issues of anti-bullying and harassment on any ground, and how complaints of this type will be dealt with.

People not employed by the council.

The council will not discriminate unlawfully against those using or seeking to use the services provided by the council.

You should report any bullying or harassment by suppliers, visitors or others to the council who will take appropriate action.

Training and prevention

The council will provide training in/raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The council will provide training to/raise awareness of all staff engaged to work at the council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment. The council will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

We have carried out an assessment to assess the risk of different forms of harassment, including sexual harassment and third-party harassment, occurring in our workforce, including in different roles and departments, the steps we could take to reduce those risks and which of those possible steps are reasonable. This risk assessment will be reviewed regularly.

We will take active steps to try to prevent third-party harassment of staff. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other branches of the business.

Your responsibilities

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

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

Grievances

If you consider that you may have been unlawfully discriminated against, you should use the council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

The council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and review

This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the council will monitor the treatment and outcomes of any complaints of harassment, sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed; the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring . If changes are required, the council will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation.

This is a non-contractual procedure which will be reviewed from time to time.



Midsomer Norton Town Council Expenses Policy

Adopted:

This document was commissioned by the National Association of Local Councils (NALC) for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information after publication. Updated 9th August 2024

This document has been written by Worknest HR – a company that provides HR advice and guidance to town and parish councils.

Midsomer Norton Town Council Expenses Policy

Purpose

This policy sets out the Council's rules on how employees can claim for expenses incurred in the performance of their duties for the Council. The purpose of this policy is to ensure that employees are properly reimbursed for legitimate business expenses and to ensure that these expenses are treated appropriately for tax purposes. It does not apply to councillors.

General procedure

The Council will reimburse you for actual expenditure that is incurred wholly, necessarily and exclusively in connection with authorised duties that you undertake in the course of your employment. To claim for expenses, you must use the Council's expenses claim forms and set out the reasons why the expense was incurred on the claim form. If you are unsure whether an expense can, be claimed, you must seek prior written authorisation from the Clerk.

Expenses will not be paid unless supporting evidence is provided, together with a completed expense claim form. This should include original receipts or invoices with the date and time of the transaction (unless you are claiming for mileage). When claiming for travel expenses on public transport, you should enclose the tickets showing the departure point and destination of your journey, where possible. Credit and debit card statements will not be accepted. Where you are submitting a VAT receipt, you should set out:

- the name and VAT registration number of the retailer or service provider.
- the goods and services provided; and
- the amount of VAT payable.

Once completed and signed, you should submit your expense claim form to the Clerk for approval. Once approved the claim form should be sent to the RFO for payment.

Expenses claims must be submitted within 30 days of the expense being incurred. If this is not practical, written approval for any extension will be required from the Clerk. The Council reserves the right to withhold any payment where prior written approval has not been given.

The Council may return an expense claim form to you without payment if it is completed incorrectly or lacks supporting evidence.

The Council will pay claims for authorised expenses by BACS transfer into the same bank account into which your salary is paid.

In general, you should not incur expenses other than in the categories listed below. However, if you have claims for expenditure other than for those categories listed below, you should seek written approval from the Clerk before incurring the expense. The Council will accept email as written approval where it is required in this policy.

Any queries in relation to this policy should be directed to the RFO.

Homeworkers

If you are a Homeworker, your normal place of work as stated in your contract will be your home. The council will reimburse all reasonable expenses incurred by homeworkers in the course of their duties upon receipt of satisfactory claims.

The council will provide the following equipment necessary to enable homeworking employees to do their job.

- Desk with lockable drawer (or separate secure document store)
- Laptop or personal computer
- Printer

Alternatively, the council will agree with homeworkers a suitable sum to cover use of their own equipment.

The council should also pay the employee for the costs associated with heating, lighting, etc. HMRC rules allow for some of these expenses to be paid tax-free (see HMRC guidance: www.gov.uk/expenses-and-benefits-homeworking/whats-exempt).

Training

When attending training courses all employees should be able to claim travel expenses for the difference in the usual home to work costs. Where the training takes place outside contracted daily hours, part-time employees should be paid on the basis as time spent on training is working time.

Travel

Employees and managers should consider whether or not travel is necessary or if there are more appropriate means (for example tele-conferencing or videoconferencing).

Rail

You may claim for standard class rail fares only. Where possible, rail journeys should be booked well in advance to benefit from any discounts for early booking.

Use of your own car

It may be appropriate and cost-effective to use your own car when travelling on business, for example if you are travelling with other staff or councillors or, where there is limited public transport to your destination, or the journey time is significantly shorter than using public transport. Any use of your own car on business is subject to you:

- holding a full UK driving licence.
- ensuring that your car is roadworthy and fully registered; and
- holding comprehensive motor insurance that provides for business use.

Prior authorisation should be sought from the Clerk (or the Chair in the case of the Clerk), before using your own car on business. The Council accepts no liability for any accident, loss, damage or claim arising out of any journey that you make on business. The Council will not pay for the cost of any insurance policy on your own car.

To claim for petrol expenditure, you should set out the distance of the journey undertaken on your expenses claim form. The Council will pay you a mileage allowance of 45p per mile for mileage under 10,000 miles and 25p per mile for mileage over 10,000 miles, or such other rate as set out from time to time by HM Revenue and Customs. The Council will pay for tolls, congestion charges and parking costs incurred, where applicable.

Use of bicycle or Motorcycle

If use of your bicycle or motorcycle is approved, you can claim a mileage allowance of 24p per mile respectively. Any use of your own motorcycle on business is subject the same requirements as a car (see above).

Taxis

Any use of taxis will require prior approval and only in limited circumstances. These are:

- where taking a taxi would result in a significantly shorter travel time than using public transport.
- where there are several employees travelling together: or
- where personal security and safety of employees is an issue, for example taxis may be permitted after 9.30pm.

You must obtain a receipt with details of the date, place of departure and destination of the journey.

Overnight accommodation

As a guideline for travel on council business you should book accommodation equivalent to three-star standard or less. You may book hotel accommodation of up to £120 maximum in a major city and £100 elsewhere. It is your responsibility to ensure that any hotel reservations are cancelled within the required cancellation period if they are no longer required.

Meals

If you are required to be away from home on council business, you may claim up to:

- £10 for breakfast (if this is not included in the hotel room rate).
- £15 for lunch.
- £20 for dinner
- a daily allowance of £5 per night for general incidental costs such as a newspaper or telephone calls.

The maximum amounts above are inclusive of drinks. Alcohol cannot be reclaimed under any circumstances.

You should supply receipts and invoices for all hotel and meal expenses other than for the daily allowance, where no receipt is required.

Entertainment/gifts

The Council has strict rules about offering or receiving both entertainment and gifts. Any gifts, rewards or entertainment offered to you should be reported immediately to the Clerk (or the Chair in the case of the Clerk). As a rule, small tokens of appreciation, for example flowers or a bottle of wine, may be retained by employees.

Annual events

The Council may decide to hold a staff event, such as a Christmas meal or other celebration. Except where agreed to the contrary, attendance is not compulsory, and you will remain responsible for any expenses you incur.

Expenses that will not be reimbursed

The Council will not reimburse you for:

- the cost of any travel between your home and usual place of work (except in exceptional circumstances for early morning/late night transport as set out above).
- the cost of any travel undertaken for personal reasons.
- the cost of any travel for your partner or spouse.
- any fines or penalties incurred while on council business for whatever reason, including penalties for not paying for a rail ticket in advance of boarding the train and penalties or fines associated with motoring offences, including speeding or parking fines, clamping or vehicle recovery charges.
- alcohol; and
- cash advances or withdrawals from an ATM machine.

You are required to pay for any travel costs incurred by your partner or spouse if he or she accompanies you on business. Your spouse or partner must have adequate travel insurance for that journey.

False claims

If the Council considers that any expenditure claimed was not legitimately incurred on behalf of the Council, it may request further details from you. The Council will thoroughly investigate and check any expenses claim as it sees fit. It may withhold payment where insufficient supporting documents have been provided. Where payment has been made to you prior to the discovery that the claim was not legitimate or correct, it may deduct the value of that claim from your salary.

Any abuse of the Council's expenses policy will not be tolerated. This includes, but is not limited to:

- false expenses claim.
- claims for expenses that were not legitimately incurred.
- claims for personal gain.
- claims for hospitality and/or gifts without them having been declared; and
- receipt by you of hospitality and/or gifts from contacts that may be perceived to influence your judgment.

The Council will take disciplinary action where appropriate and, in certain circumstances, may treat a breach of this policy as gross misconduct, which may result in your summary dismissal. In addition, the Council may report the matter to the police for investigation and criminal prosecution.

This is a non-contractual procedure which will be reviewed from time to time.

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MIDSOMER NORTON TOWN COUNCIL

Flexible Working Policy

This policy is based on the ACAS template flexible working policy.

Approved: -

INTRODUCTION

This policy is based on the ACAS template Flexible Working Policy template:

The purpose of the policy is to maintain a committed and dedicated workforce which allows for and appreciates the need to strive for a balance between firstly workplace commitments and family and social life. In short it is a policy to achieve a good work life balance.

Legal context

Midsomer Norton Town Council has adopted this policy to give effect to the:

Employment Rights Act 1996,

The Equality Act 2010,

The Employment Relations (Flexible Working) Act 2023 which came into effect in the UK on April 6, 2024.

EU Working Time Directive.

The purpose of this policy

This policy aims to encourage staff to consider flexible working arrangements. The Council recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore, the Council wants to assist its employees in achieving a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The council is committed to agreeing flexible working arrangements, provided that the needs and objectives of both the council and the employee can be met.

It is the council's policy to encourage open discussion with employees. An employee that thinks they may benefit from flexible working is encouraged to contact their line manager to arrange an informal discussion to talk about the options. For the Town Clerk this conversation shall be held with the Mayor and Chairman of the Personnel Sub-Committee.

What is flexible working?

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works. A "flexible working request" in line with this policy shall be a change to the base-line terms and conditions of an employee's contract. The following flexible working options are supported by Midsomer Norton Town Council, but the council recognises that there may be alternatives or a combination of options which are suitable to both the council and the employee:

- Time off in lieu (“TOIL” or also known as Flexi-leave)
- Hybrid and Home-working
- Job-sharing
- Overtime
- Part-time working
- Career breaks
- Annualised hours
- Compressed hours
- Term-time working
- Flexitime

Types of flexible working supported by the council.

Time off in lieu (TOIL) will be granted to employees who, by virtue of their work commitments (such as evening meetings, weekend duties or training commitments) exceed their contracted hours. In such cases the employee may take that time back as time off, subject to notification to their line-manager and a “Timesheet” (attached as Appendix 1) being accurately kept by the employee. It shall be the duty of a manager to manage the Timesheet and ensure it is accurate and submitted in a timely manner.

Homeworking may be permitted subject to agreement of the Town Clerk. It is anticipated that these requests shall be few and far between given that the working practices of the Town Council start from a position of Hybrid working which allows for working remotely from home and workplace-based attendance which shall be the starting terms and conditions of any employee contract. However, Home-working requests could include (but be not limited to) for example: set home working hours to fit around school and/or caring duties and requests following hospitalisation and recovery from ailments and/or injuries. The council will consider homeworking being an occasional agreed set day or a mix of set home and set office-based hours and work each week.

Hybrid Working following the Coronavirus Pandemic became the stable working practices of the Town Council. This model proved to be adaptable and agile in responding to business needs at the time. Hybrid working is a combination of working remotely from home and attending the Council Offices and other workplace meetings off-site.

Hybrid working relies upon the terms of mutual trust and confidence in the employer and employee relationship and also upon the premise that Council business needs must be prioritised and working hours as contracted are met during business hours.

Overtime is when hours are worked in addition to the usual full-time or part-time hours. Overtime can be agreed where the council would benefit from an employee working more hours. Such situations would include attendance at events such as Remembrance Day or Civic days and are usually hours worked at weekends. This is voluntary and an employee can refuse overtime if they wish. Overtime will be paid at in accordance with the National Joint Council's Terms and Conditions also known as the "Green Book".

Part-time working covers any arrangement where an employee is contracted to work anything less than typical full-time hours for the type of work in question. For example, an employee who only works 20 hours per week. The suitability of posts for part-time working will be stated in any internal or external advertisements.

Other forms of flexible working including, compressed hours or term time working will be considered by the employee's line-manager in accordance with the rest of this policy should a request be received. Each request will be considered on its own merits on a case-by-case basis.

The needs of the council

The council is committed to providing a range of appropriate working patterns. However, employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed, the council will need to consider a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the council
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability and/or other protected characteristic in line with the Equality Act 2010
- health and safety issues

Eligibility

All employees have the right to request flexible working arrangements from the commencement of their employment.

Employees may make two requests in any 12-month period.

Employees in all areas and levels of the Company will be considered for flexible working regardless of their age, sex, sexual orientation, race, religion or belief, pregnancy, marital/civil partnership status, gender reassignment or disability. However, there is no automatic right for employees to change to any of the flexible working patterns. Each application will be considered on its own merits save for where it is made as a reasonable adjustment under disability legislation in which case it will be considered under the rules applying to our duty under those laws.

Submitting a flexible working request

All requests must be made by email to the Town Clerk in the first instance.

Any request made must include:

- the date of the application
- the changes that the employee is seeking to their terms and conditions
- the date from when the employee would like the proposed change to come into effect
- the dates of any previous applications

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

Meetings regarding flexible working

Midsomer Norton Town Council cannot reject a request without consulting with the employee.

Upon receiving a written request for flexible working for minor changes the Town Clerk shall usually seek to arrange a meeting with the employee to:

- discuss the request
- find out more about the proposed working arrangements

Responding to a flexible working request

The Town Clerk will consider minor proposed flexible working arrangements, looking at the potential benefits, and adverse effects, to the employee and to the council in implementing the proposed changes.

Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

The employee will be informed in writing of the decision as soon as is reasonably practicable, but no later than two months of the request.

The request may be granted in full, in part or refused. The Town Clerk may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period.

If the request is agreed, then the employee will be sent a confirmation letter which will include details of the new arrangements.

Right to appeal decision

The employee has the right to appeal the decision if their request is refused or is only agreed in part. The employee may lodge an appeal within 14 days of being notified of a decision on their application. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard in exempt session of a meeting of the Staffing Committee. The employee will be invited to attend and present their appeal if they so wish. In lieu of any notification or reason excusing attendance the Staffing Committee shall proceed with determining the matter.

The employee will then be informed of the outcome to their appeal within 14 days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the chairman of the Staffing Committee.

Varying an employee's contract

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A new contract of employment will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.

If the employee has any questions or concerns about the new contract of employment, they should contact their line manager to discuss the matter further.

Withdrawal of application by employee

The Council will treat an application as withdrawn under the statutory provisions where you:

- notify us, orally or in writing, that you are withdrawing the application; or
- without reasonable cause, fail to attend a meeting to discuss your application or appeal meeting more than once.

The Council will confirm the withdrawal of the application to you in writing unless you have already provided written notice of the withdrawal.

Complaints and further information

The council is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with the Town Clerk.

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the council's grievance procedure.

For further information an employee should refer to the documents listed below and contact the Town Clerk in the first instance.

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Appendix 1

MNTC										
RECORD OF WORKING HOURS										
NAME										
POSITION										
Week commencing Monday Monday 27th January 2025										
Date	Day	Target Hours worked	Addl Hours Worked Paid	Addl Hours Worked TOIL	Start Time	Finish Time	Lunch Break	TOIL BF	TOIL CF	Notes
27.01.25	Monday									
28.01.25	Tuesday									
29.01.25	Wednesday									
30.01.25	Thursday									
31.01.25	Friday									
01.02.25	Saturday									
02.02.25	Sunday									
Total Week		0						0		Sub Total
									0	
				Employee Signature						
				Date						
				Authorised by						

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MIDSOMER NORTON TOWN COUNCIL GRIEVANCE POLICY

Model policy from NALC updated 9th August 2024

Approved: -

MIDSOMER NORTON TOWN COUNCIL'S GRIEVANCE POLICY

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).
2. It also takes account of the ACAS guide on discipline and grievances at work. (https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf).
3. It also takes into account relevant law affecting Councils.
4. It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
5. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
6. This policy confirms:
 - employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for their grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.
 - the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date.
 - any changes to specified time limits must be agreed by the employee and the Council.
 - an employee has the right to appeal against the decision about their grievance. The appeal decision is final.

- information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
- if an employee who is already subject to a disciplinary process raises a grievance, **the disciplinary process will be postponed until after the grievance has been resolved.**
- if a grievance is not upheld, no disciplinary action will be taken against an employee if they raised the grievance in good faith.
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties.
- Employees can only use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor. Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the Councillor is not resolved at the informal stage, the employee can contact the monitoring officer of Bath and North East council] who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure (see paragraph 5)
- the Council may engage external investigators, grievance or appeal panels for the purposes of the process.
- If the grievance is a code of conduct complaint against a Councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and Councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination.

- If an employee considers that the grievance concerns their safety within the working environment, whether or not it also concerns a complaint against a Councillor, the employee should raise these safety concerns with their line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime.

Informal grievance procedure

7. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with their manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with their manager (for example, because it concerns the manager), the employee should contact the Chairman of the staffing committee or, if appropriate, another member of the staffing committee. If the employee's complaint is about a Councillor, it may be appropriate to involve that Councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal grievance procedure

8. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the staffing committee.
9. The staffing committee will appoint a sub-committee of 3 members to hear the grievance in the event that the grievance is raised by or relates to the Clerk. Where the grievance is not raised by or relates to the Clerk, the staffing committee may appoint the Clerk to hear the Grievance. The sub-committee will appoint a chairman from one of its members. No Councillor with direct involvement in the matter shall be appointed to the sub-committee.

Investigation

10. If the sub-committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigator may be an appropriate employee, Councillor or external party. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillor's or members of the public).
11. The investigator will summarise their findings (usually within an investigation report) and present their findings to the sub-committee.

Notification

12. Within 14 calendar days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:

- the names of its chairman and other members
- the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 35 calendar days of when the Council received the grievance.
- the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official.
- a copy of the Council's grievance policy
- confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of their witnesses as soon as possible before the meeting.
- confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice.
- findings of the investigation if there has been an investigation.
- an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The grievance meeting.

13. At the grievance meeting:

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

14. The Chairman will provide the employee with the sub-committee's decision, in writing, usually within 7 calendar days of the meeting though may be longer e.g. where further investigations are required. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

15. If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the staffing committee. An appeal must be received by the Council within 7 calendar days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.
16. Appeals may be raised on a number of grounds, e.g.:
 - a failure by the Council to follow its grievance policy.
 - the decision was not supported by the evidence.
 - the action proposed by the sub-committee was inadequate/inappropriate.
 - new evidence has come to light since the grievance meeting.
17. The appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include members of the staffing committee. The Council may engage external parties if there are insufficient Councillors to form the panel. The appeal panel will appoint a chairman from one of its members.
18. The employee will be notified, in writing, usually within 14 calendar days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 35 calendar days of the Council's receipt of the appeal. The employee will be advised that they may be accompanied by a workplace colleague, a trade union representative or a trade union official.
19. At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee.
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee.
 - explain the action that the appeal panel may take.
20. The employee (or companion) will be asked to explain the grounds of appeal.

21. The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, and when they are likely to receive the letter. This may be within 14 calendar days of the appeal meeting however will be longer where further investigations are required.
22. The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.
23. The decision of the appeal panel is final.

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Midsomer Norton Town Council
Health and Safety Policy

Approved: -

Introduction

The Council recognises it has a legal duty of care to protect the health and safety of its employees and others who may be affected by the council's activities.

The Council regards the promotion of health and safety as a mutual objective for all employees, at all levels and in all activities.

Reference to employees also applies to volunteers working on behalf of the Council.

Objectives

The Council shall:

- Provide an organisational structure that defines the responsibilities for health and safety.
- Provide adequate resources to control the health and safety risks arising from our activities.
- Encourage staff to identify and report hazards so that we can all contribute towards improving safety.
- Maintain premises and provide and maintain safe plant and equipment.
- Provide information, instruction, and supervision for employees.
- Provide adequate training and ensure that all employees are competent to do their tasks.
- Carry out and regularly review risk assessments to identify proportionate and pragmatic solutions to reducing risk.
- Only engage contractors who are able to demonstrate due regard to health and safety matters.
- Review this policy at least annually and revise to reflect changes to the activities and any changes to legislation. Any changes to this policy will be brought to the attention of all employees.

Organisation Structure for Health and Safety

The Full Council has ultimate responsibility for the health and safety of Midsomer Norton Town Council but discharges this responsibility through the Town Clerk to individual employees.

The Council shall ensure that:

- They provide the lead in developing a positive health and safety culture through the organisation.
- All its decision reflect its health and safety intentions.
- Adequate resources are made available for the implementation of health and safety.
- They will promote the active participation of workers in improving health and safety performance.

The Town Clerk is the designated person with overall responsibility for ensuring compliance with Health and Safety legislation.

The Town Clerk shall ensure that:

- This policy is implemented, monitored, developed, and communicated effectively.
- Adequate insurance cover is provided at all times.
- There is regular communication and consultation with staff on health and safety matters.
- Safe working practices are developed, implemented, and maintained.
- Accidents, ill health and 'near miss incidents are recorded, investigated, and reported.
- Ensure that all employees receive adequate training, information and supervision to maintain safe standards.

All Council employees are required to:

- Make themselves familiar with and conform to this policy.
- Observe safety rules at all times.
- Where required, wear protective clothing, and use appropriate safety devices provided.
- Report to their line manager all accidents, injuries to persons and damage to vehicles / plant / equipment.
- Know the location of first aid facilities.
- Report all safety hazards as a matter of urgency to the Town Clerk.
- Know what to do in the case of fire, or other emergency and the location of firefighting equipment.
- Maintain good housekeeping at all times.
- Maintain good housekeeping at all times.
- Observe safe standards of behaviour and dress.

Fire Safety

All employees have a duty to take steps to ensure they do not place themselves or others at risk of harm by assisting in identifying fire hazards as they emerge and reducing all fire risks by working in accordance with approved safe practices.

Fire risk assessments will be conducted annually for all Council premises.

Emergency plans, including evacuation plans, will be established for the Council Offices and any other location routinely used for Council business.

The Town Clerk is responsible for ensuring all fire safety tests and drills are logged in a records book.

Contractors and Visitors

The Council shall ensure that where contractors or sub-contractors are engaged by the Town Council, they must maintain effective control of themselves and those working under them so to ensure they comply with the responsibilities and duties of the *Health and Safety at Work Act 1974*.

The Council shall ensure that those not in employment of the Council, including the general public are not exposed to risks to their safety or health when on Council premises or at events organized by or on behalf of the Town Council.



MIDSOMER NORTON TOWN COUNCIL LONE WORKING POLICY

NALC model policy updated 9th August 2024

Approved: -

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The scope of this policy	3
Policy	3
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Responsibilities	3
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Purpose of this policy and procedure

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

- Raises awareness of the safety issues relating to lone working,
- Identifies and assesses potential risks to an individual working alone,
- Explains the importance of reasonable and practicable precautions to minimise potential risk,
- Provides appropriate support to lone workers, and,
- Encourages reporting of all incidents associated with lone working so that they can be adequately managed and used to help reduce risks and improve working arrangements for the future.

The scope of this policy

It applies to all staff, whether full time, part time or temporary workers. It does not apply to councillors.

Policy

We will protect staff from the risks of lone working, as far as is reasonably practicable. Working alone is not in itself against the law and it is often safe to do so. However, the council's policy is to consider carefully and deal with any health and safety risks for those who work alone.

Definition

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

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

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

Responsibilities

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

Managers

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

- Must ensure that all staff are aware of this lone working policy and procedure and provide appropriate levels of training and guidance on lone working.

Lone workers

- Take reasonable care of themselves and others who may be affected by their work.
- To follow any instruction given by management or the council
- Raise with their line manager any concerns they have in relation to lone working.
- Not to work alone where there is adequate information to undertake a risk assessment.
- Inform their line manager at the earliest opportunity in the event of an accident, incident of violence or aggression whilst working alone.

Staff

- To be aware of colleagues working on their own and alert to unexpected changes of routine, unanticipated periods where there is no communication.
- Buddies should ensure they maintain and share up to date contact details (see below)

Risk Assessments

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

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

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

Ways in which lone working risks can be reduced.

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

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

- Signing-in and Out book
- Electronic (or hard copy) diaries to be kept up to date with meeting/visit/lone working details.
- Agreed times and method of contact.
- Buddy scheme

Buddy scheme

The following information should be written down and kept by the lone worker and their buddy, next of kin and manager (see the Lone Working Buddy Form): -

- Name and contact details of the lone worker
- Name, relationship and contact details of the buddy
- Name, relationship and contact details of the lone worker's next of kin
- Name, relationship and contact details of the lone worker's manager
- Any 'code word' that would indicate that the lone worker needs assistance.
- Note: All these details must be kept securely in line with data protection legislation

If you change your contact details, you must let your buddy and manager know.

In circumstances where a buddy system is appropriate as a way of reducing the risks identified in the risk assessment, the buddy must have relevant details about your lone working, that may include.

- where you are going (address or area if there is no address)
- details of the purpose (i.e. preparing the hall, grass cutting, meeting).
- contact details of anyone you intend to meet (any additional contact details for the location you are visiting).
- your mode of transport.
- when you are expected to return.

Your buddy must know what to do if you do not return or make contact at the anticipated/agreed time.

Health and wellbeing

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

Reporting incidents

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

- A brief note of what happened, when, and who was involved,
- For any work-related aggression (verbal or physical) including threatening behaviour, all of the details of the incident and of the perpetrator should be captured, which could then be used if the police take any formal prosecution action. This might be particularly important for more serious incidents of work-related violence, and,
- In either instance, this might also include recording details of any circumstances you think might have contributed to the incident, e.g. the context of the interaction, perceptions about the condition of the perpetrator, or any environmental circumstances. This information would then support us to review our risk assessment process and see if any additional measures are needed.

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

Call your manager if your plans change because you feel unwell or if you have a domestic emergency when working alone.

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MIDSOMER NORTON TOWN COUNCIL

Policy on Audio / Visual Recording and Photography at Council Meetings

Model policy from Somerset Association of Local Council

Approved: -

1. Introduction

Midsomer Norton Town Council is committed to being open and transparent in the way it conducts its decision making. Recording, including filming, audio recording, taking photographs, blogging, tweeting and using other social media is permitted at Council meetings, which are open to the public, subject to the following policy.

2. Procedure at meetings

- 2.1 Anyone wishing to record is requested to let the Chairperson of the meeting know prior to, or at the start of, the meeting and the recording should be overt (i.e. clearly visible to anyone at the meeting) and not disruptive.
- 2.2 Anyone visually recording a meeting is requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. Any children present at the meeting should not to be filmed unless they and their parents/guardians have given their consent.
- 2.3 At the beginning of each meeting, the Chairman will make an announcement that the meeting may be filmed or recorded.
- 2.4 Midsomer Norton Town Council supports the right of any member of the public not to be recorded. The council will ensure that signage at council meetings makes it clear that recording can take place – if anyone speaking at the meeting does not wish to be recorded, they should let the Chairman of the meeting know.
- 2.5 Any person wishing to record Council meetings will be responsible for ensuring that any cabling, or electrical equipment they use has been properly tested and installed and adheres to health and safety requirements. The Council will not be held liable for any injuries to the individual or members of the public caused by the recording of its meetings.
- 2.6 The Chairman of the meeting has absolute discretion to request a person to stop or suspend recording if in the Chairman's opinion continuing to do so would prejudice proceedings at the meeting because:
 - recording is disrupting the proceedings of the meeting.
 - there is public disturbance or a suspension of the meeting.
 - the meeting has resolved to exclude the public for reasons of confidential business.

For these purposes recording equipment should not be left unattended at meetings. However, if the person carrying out the recording is absent the Council reserve the right to turn off the equipment according to paragraph 2.6 above. The Council cannot accept liability for any equipment that is lost, stolen or damaged at its public meetings.

- 2.7 The recording should not be edited in any way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Council's values or in a way that ridicules or shows a lack of respect for those in the recording.

2.8 If the Council resolves to discuss confidential information, and the public are excluded from the meeting, all recording equipment must be removed immediately from the room.

2.9 The use of flash photography or additional lighting will not be allowed unless this has been discussed with the clerk in advance of the meeting and agreement reached on how it can be done without disrupting proceedings.

Guidance Notes

Please contact the Parish Clerk prior to the meeting you wish to record, and especially if the recording you wish to make involves large equipment or special requirements.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those who undertake the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act, the Public Order Act Part III (1986 as amended), the Equality Act 2010, the laws of libel and defamation and any subsequent legislation or regulations.

The Council may itself photograph, film, record or broadcast its meetings and may retain, use or dispose of such material in accordance with its retention and disposal policies.

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MIDSOMER NORTON TOWN COUNCIL SEXUAL HARASSMENT POLICY

Taken as a model from Peninsula as NALC doesn't appear to have written one yet although the legal requirement started in October 2024. Also looked at policies from other councils

Approved: -

Introduction

The council is committed to providing a work environment free from all forms of discrimination and harassment, including sexual harassment. This policy outlines the council's zero-tolerance approach to sexual harassment and the procedures for reporting and addressing such behaviour.

Legal Duty to Prevent Sexual Harassment

In accordance with the Worker Protection (Amendment of Equality Act 2010) Act 2023, effective from 26th October 2024, the council has a duty to take reasonable steps to prevent sexual harassment in the workplace. This includes:

- Implementing preventive measures such as regular training and clear communication of this policy.
- Creating a culture of respect and inclusion.
- Taking proactive steps to identify and mitigate risks of sexual harassment.

Definition of Sexual Harassment

Sexual Harassment is any unwanted behaviour of a sexual nature that makes someone feel offended, humiliated, or intimidated. **It also covers treating someone less favourably because they have submitted to or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex.** It can include, but is not limited to:

- Unwelcome sexual advances.
- Inappropriate touching or physical contact.
- Sexual jokes or comments.
- Displaying sexually explicit materials.
- Sending sexually explicit emails or messages.
- **Suggestive looks, staring or leering.**
- **Making promises in return for sexual favours.**
- **intrusive questions about a person's private or sex life or a person discussing their own sex life.**
- **sexual posts or contact in online communications including on social media.**
- **spreading sexual rumours about a person.**
- **unwelcome touching, hugging, massaging or kissing.**

Scope

This policy applies to all employees as well as volunteers and elected officials associated with Midsomer Norton Town Council.

Prohibited Conduct

Sexual harassment in any form is strictly prohibited. This includes, but is not limited to:

- Making sexual propositions, innuendos, or suggestive comments
- Physical contact of a sexual nature without consent
- Sending sexually explicit messages or materials
- Creating a hostile or offensive work environment based on gender or sexual orientation.

Victimisation

Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do an act which is protected under discrimination and harassment laws. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation.

The protected acts are:

- making a claim or complaint under the Equality Act 2010 (for example, for discrimination or harassment)
- helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act 2010
- making an allegation that someone has breached the Equality Act 2010, or
- doing anything else in connection with the Equality Act 2010 .

Examples of victimisation may include:

- Failing to consider someone for promotion because they have previously made a sexual harassment complaint.
- Dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint.
- Excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

Reporting Procedure

Informal Complaint:

We recognise that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be the same person who will be responsible for investigating the matter if it becomes a formal complaint.

If you experience sexual harassment and you feel comfortable to do so, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser, and your confidential helper can assist you in this.

In addition, you may also choose to raise concerns during your regular communication with your manager, for example, in a 1-2-1 meeting. Your manager will listen to you and take your concerns seriously if you do this, but may encourage you to follow the reporting procedures set out below.

Formal Complaint

Where an employee who believes they have experience or witnessed sexual harassment, but do not wish to use the informal procedure or if the informal approach fails, you are encouraged to formally report it immediately. Reports can be made to:

- The Chair of the Staffing Committee
- The Town Clerk

If possible, you should keep notes of what happened so that the written complaint can include:

- a) the name of the alleged harasser;
- b) the nature of the alleged harassment;
- c) the dates and times when the alleged harassment occurred;
- d) the names of any witnesses; and
- e) any action already taken by you to stop the alleged harassment.

Reports can be made verbally or in writing and will be kept confidential to the extent possible. Retaliation against individuals who report sexual harassment is strictly prohibited and will result in disciplinary action, up to and including termination.

Investigation Procedure

Upon receiving a report of sexual harassment, Midsomer Norton Town Council will promptly and impartially investigate the allegations. The investigation will be conducted by the Town Clerk, or Deputy Town Clerk, and the Chair of the Staffing Committee, who will interview the parties involved and any witnesses. All parties will be afforded due process and confidentiality to the extent possible.

Disciplinary Action

If an investigation confirms that sexual harassment has occurred, appropriate disciplinary action will be taken depending on the severity of the offense and the circumstances involved.

Third Party Sexual Harassment

- 1) Third-party sexual harassment occurs when one of our workforce is subjected to sexual harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes our customers, suppliers, members of the public, friends and family of colleagues, delegates at a conference, audiences, self-employed contractors etc.
- 2) Third-party sexual harassment of our workforce is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties.
- 3) The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, failure for an employer to take reasonable steps to prevent third-party sexual harassment may result in legal liability in other types of claim.
- 4) In order to prevent third-party sexual harassment from occurring, we will:
 - a) inform third parties i.e. suppliers of our zero-tolerance sexual harassment policy within our supplier documentation
- 5) If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible to the Chair of the Staffing Committee or the Town Clerk.
- 6) Should a customer sexually harass a member of our workforce, we will warn the client or customer about their behaviour/ban the customer/share information relating to the incident with our other offices. Any criminal acts will be reported to the police.
- 7) We will not tolerate sexual harassment by any member of our workforce against a third party. Instances of sexual harassment of this kind may lead to disciplinary action including termination of employment

Training and Awareness

Midsomer Norton Town Council is committed to preventing sexual harassment through education and training. All employees will receive training on this policy and their rights and responsibilities regarding sexual harassment prevention and reporting.

A risk assessment has been carried out and this will be regularly reviewed to ensure it remains appropriate. The risk assessment will be shared with all employees.

Compliance

All employees are expected to always comply with this policy. Failure to do so may result in disciplinary action, up to and including termination.

Anti- Bullying and Harassment

The council has a separate anti-bullying and harassment policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

Employee Assistance Programme

We would like to remind you that further support is available by contacting our Employee Assistance Programme, a confidential 24-hour telephone counselling service, which can be accessed on 0800 0474097.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk.

Review and Revision

This policy will be reviewed periodically and updated as necessary to ensure its effectiveness and compliance with relevant laws and regulations.

Conclusion

Midsomer Norton Town Council is dedicated to fostering a respectful and inclusive workplace where all employees can thrive. The council takes allegations of sexual harassment seriously and will take prompt and appropriate action to address them.



MIDSOMER NORTON TOWN COUNCIL RISK ASSESSMENT 2024 – Sexual Harassment

Approved: -

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HAZARDS & Risk	Who is at Risk	CONTROL	Future Control	Likelihood	Impact	By Whom
Inappropriate Comments or Jokes Risk of inappropriate comments or jokes made by elected officials, employees, or public attendees that could be perceived as harassment	Employees, Councillors, contractors, volunteers, public attendees	<ul style="list-style-type: none"> • Anti-harassment policy applied to parties. • Code of conduct includes respectful behaviour standards. • Council have agreed Civility & Respect statement. • Complaint and reporting procedure in place 	<ul style="list-style-type: none"> • Appropriate training for all employees and Councillors. • Reports can be made verbally and will be kept confidential where possible 	Medium	High	Town Clerk / Deputy Town Clerk / Chair of Staffing
Unwanted Physical Contact Risk of unwanted physical contact by councillors, employees, or members of the public during meetings or events		<ul style="list-style-type: none"> • Code of conduct prohibits unwelcome physical contact. • Training on maintaining personal boundaries provided. • Complaint system accessible to all parties 	<ul style="list-style-type: none"> • Monitor and document incidents as reported 	Low	High	Town Clerk / Deputy Town Clerk / Chair of Staffing
Misuse of Power Dynamics Risk of elected officials or employees using positions of authority to exert undue influence or engage in inappropriate behaviour		<ul style="list-style-type: none"> • Clear hierarchy and defined reporting structures. • Training to cover power dynamics and boundaries. • Complaint and reporting procedure in place. 	<ul style="list-style-type: none"> • Conduct regular reviews of power dynamics and conduct. • Require periodic feedback surveys to gauge perceived fairness and safety. 	Medium	High	Town Clerk / Deputy Town Clerk / Chair of Staffing
Inappropriate Digital Communication Risk of harassing or inappropriate messages sent via council-owned email, social media, or digital channels or to		<ul style="list-style-type: none"> • Established guidelines for digital communication. • Staff are given Employee Handbook which includes social media Policy. • Social Media policy agreed by Full Council 	<ul style="list-style-type: none"> • Review and update digital conduct policies regularly. • Provide regular training on use of social media 	Medium	Medium	Town Clerk / Deputy Town Clerk / Chair of Staffing

employees, councillors, or members of the public		and distributed to all Councillors				
Retaliation or Intimidation Post-Complaint Risk of retaliation against individuals (employees, Councillors, or public) following a harassment complaint		<ul style="list-style-type: none"> • “No retaliation” clause included in council policy. • Retaliation is strictly prohibited and will result in disciplinary action, up to and including termination. 	<ul style="list-style-type: none"> • Engage local law enforcement if repeated intimidation occurs 	Low	High	Town Clerk / Deputy Town Clerk / Chair of Staffing
Failure to Address Complaints Properly Risk of mishandling complaints involving councillors, employees, or the public, potentially including to legal or reputational consequences		<ul style="list-style-type: none"> • See complaints procedure and disciplinary procedure 	<ul style="list-style-type: none"> • Compliant handling processes to be regularly reviewed and updated in line with current legislation and best practice. • Periodic training on updated complaint procedures 	Low	High	Town Clerk / Deputy Town Clerk / Chair of Staffing
Inadequate Knowledge of Sexual Harassment Policies Risk that Councillors, employees, or public attendees do not fully understand what constitutes sexual harassment		<ul style="list-style-type: none"> • Anti-sexual harassment, code of conduct, dignity at work, whistleblowing, equality and diversity policies disseminated to all. • Mandatory training for employees and Councillors 	<ul style="list-style-type: none"> • Regular refresher training for all, including specific guidance on dealing with the public 	Medium	Medium	Town Clerk / Deputy Town Clerk / Chair of Staffing
Public Misconduct towards elected officials and staff Risk of harassment by members of the public towards		<ul style="list-style-type: none"> • Clear behaviour expectations for public attendees. • Protocol on public participation in meetings published on website. 	<ul style="list-style-type: none"> • Additional training on de-escalation for council staff • Post conduct expectations 	Medium	High	Town Clerk / Deputy Town Clerk / Chair of Staffing

Councillors or employees during public events or meetings		<ul style="list-style-type: none">Complaint system open to elected officials, staff and public attendees	<p>visibly at all public events</p> <ul style="list-style-type: none">Assign a designated complaints officer at events			
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Midsomer Norton Town Council
Sickness Absence Policy

Adopted:

[Nalc model template](#)

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What to do if you are unwell

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

- Telephone your manager / the Clerk, before your contractual (or normal start time for work) on the first day of absence providing details and how long you expect to be off. If you are unable to call personally, someone else may call for you. It is your responsibility to ensure the Council is notified. You must then telephone again each day (unless otherwise agreed with the Clerk).
- If you are away for seven days or less (including weekends and other non-working days), you must complete a self-certification form and provide it to the council when you are back at work.
- If you are away for more than seven days (including weekends and other non-working days), you must send in a 'fit to work' statement from your doctor and continue to do so as each new certificate is issued to you. This certificate gives details as to whether you are too ill to work or whether you are well enough to work with suitable support from the Council. This gives you and the Council the opportunity to discuss suitable arrangements which will support your return to work. The form also gives more space for the doctor to provide information about your condition and helpful tick boxes to suggest common ways to help you return to work.
- All sickness or injury absence will be entered on your employment record and will be monitored from time-to-time.

Return-to-work meetings

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

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

Medical appointments

The council recognises that employees will, from time to time, need to attend medical appointments. Please try to arrange medical appointments in your own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the council. The council will allow reasonable time off work without pay for such appointments except for antenatal appointments which are paid time off.

Statutory Sick Pay

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

Council's Sick Pay (Occupational Sick Pay)

The council adopts the Green Book terms and conditions of employment, employees are entitled to receive sick pay for the following periods: -

During 1st year of service

1 month's full pay and (after completing 4 months service)
2 months half pay.

During 2nd year of service

2 months full pay and
2 months half pay.

During 3rd year of service

4 months full pay and
4 months half pay.

During 4th and 5th year of service

5 months full pay and
5 months half pay.

After 5 years' service

6 months full pay and
6 months half pay.

The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

Periods of full pay will include SSP. In periods of half pay, employees receive half pay in addition to SSP provided the total does not exceed normal pay.

If an employee abuses the sickness scheme or is absent on account of sickness due or attributable to deliberate conduct prejudicial to recovery or the employee's own misconduct or neglect or active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer sick pay may be suspended.

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

We may not pay you occupational sick pay where:

- you have failed to comply with the Council's sickness absence notification and evidence requirements.
- you unreasonably refuse to attend a sickness absence meeting with the Council on request.
- you are unable to work because you hurt yourself in dangerous sports / activities or any other occupation you have.
- you have misled the council about your fitness to work.
- you have resigned; or
- where disciplinary proceedings are pending against you.

Medical advice

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

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

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

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

Persistent short-term absence

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

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

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

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

The council will consider any alternative employment options before making any decision about ending employment. You will have the right to be accompanied by a work colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction. The monitoring of absence operates on a rolling 52-week period.

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

Long-term absence

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

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

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

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

Absence as a result of disability

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

For employees who have completed their probationary period, the following 7 step system will apply:

Absence level

(in rolling 12 months) Action

1st absence - Return to work interview

2nd absence - Return to work

attendance review meeting and mini action plan. (on attendance review document)

3rd absence - Return to work interview

Investigation meeting

Action plan – no more absence in subsequent 6 months or potential disciplinary – Letter of Concern issued.

4th absence - Investigation meeting – refer to disciplinary hearing – potential verbal warning.

5th absence - Investigation meeting – refer to disciplinary hearing – potential written warning.

6th absence - Investigation meeting – refer to disciplinary hearing – potential final written warning.

7th absence - Investigation meeting – refer to disciplinary hearing – potential dismissal.

Data protection

The Council will treat personal data collected during the absence management process in accordance with its data protection policy on processing special categories of personal data. Information about how your data is used and the basis for processing your data will be provided in our employee privacy notice. When relying on legitimate interests as the legal ground for processing your data, you can object to the processing.



Midsomer Norton Town Council
Social Media Policy

Adopted:

Town Council social media Policy

The aim of this policy is to set out a guidelines and principles to provide guidance to Town councillors, council staff and others who engage with the council using online communications, collectively referred to as social media.

Social media is a collective term used to describe methods of publishing on the internet via use of: applications; software and hardware including smart-phones, tablets laptops and so on.

This policy covers all forms of social media and social networking sites which include (but are not limited to):

- Town Council Website
- Facebook and other social networking sites
- Twitter and other micro blogging sites
- YouTube and other video clips and podcast sites
- LinkedIn
- Blogs and discussion forums
- Email

The use of social media does not replace existing forms of communication.

Principles Guiding Use of social media.

The principles of this policy apply to Town councillors and council staff and applies to others communicating with the Town Council. Social Media shall be used to:

- a) To publish, promote and preserve the work of Christchurch Town Council to a wider audience.
- b) To advertise and promote engagement in the democratic process and to widen participation across the community in the affairs of the Town Council and the community it represents.
- c) To advertise and promote work of its partner agencies such as the Police, Fire and ambulance services, BCP Council and other town/parish councils.
- d) To disseminate community news of interest such as road closures, planning and licensing applications, events and so on.

Social Media Shall NOT be used for:

- e) Entering online debates or arguments about the Town Council's work.
- f) Recruitment process for employees or councillors – other than for the placing of Vacancy Advertisements – as this could lead to potential discrimination and privacy claims;
- g) Canvassing, promoting or advertising any political ideological policy or decision of a councillor or political party.
- h) The promotion or advertising of any individual business or going concern.

3 Approved Social Media

- a) Town Council website
- b) Facebook page

c) Twitter Account

The Clerk shall be the nominated social media officer with the delegated authority to issue official postings via the approved social media accounts. No other member of staff/councillor; other than the Administration Support Officer when directed to do so by the Clerk, has the authority to issue public statements on social media on behalf of the Council.

All public statements must be vetted by the Clerk before being posted to a social media account. If in the opinion of the Clerk the post is unsuitable for dissemination it must NOT be posted to any of the approved social media accounts. The Clerk shall have the final say in deciding the suitability of public postings to approved social media accounts.

4.0 Guidelines

Social Media is a fantastic tool in sharing the way we work with the wider community and world. However, social networking has its pitfalls and can attract negative comments or have an adverse impact upon the individual or Town council's reputation. Staff must be aware that they act as ambassadors of the Council and that Councillors must also be mindful of their obligations under the adopted Code of Conduct and law. These guidelines are not definitive and do not provide an exhaustive list of all the considerations to consider before using social media, however they aim to give a framework for pausing and reflecting before posting:

- Stop and think before posting and “sense-check” whether the content is informative, objective and impartial. The post may well be “shared”, “liked” or “retweeted” around the region, nation or world;
- Irony, Sarcasm and Comedy are all subjective notions. People may not perceive what you perhaps see as funny or ironic. Be mindful of being misinterpreted, misquoted or quoted out of context;
- Abide by the terms and conditions of the platform you are using and respect the community guidelines for each;
- Monitor and be prepared to remove posts from platforms/pages which do not adhere to this policy or meet a threshold of behaviour which is deemed acceptable;
- Do use privacy settings where necessary;
- Protect passwords and change regularly where necessary. Town Council; passwords shall only be in the knowledge of the Clerk and those authorised by the Clerk to post on his/her behalf;
- Always seek written permission when using any photos of individuals at community events
- or functions and be mindful of background identifiers such as faces and/or car registration plates etc;
-
- Be especially mindful of posting photographs of children or those who are vulnerable and seek explicit written consent of any parent/guardian who has responsibility. If in doubt always seek advice first before posting;
- Do not post or tweet comments when your judgment is impaired due to bias, or pre-disposition or pre-determination, or even when tired or otherwise;

Town councillors and council staff must not:

- • hide their identity using false names or pseudonyms;
- • present personal opinions as that of the council;
- • present themselves in a way that might cause embarrassment to the council;
- • post content that is contrary to the democratic decisions of the council;
- • post controversial or potentially inflammatory remarks;
- • engage in personal attacks, online fights and hostile communications;
- • use an individual's name unless given written permission to do so;
- • publish photographs or videos of minors without parental permission;
- • post any information that infringes copyright of others;
- • post any information that may be deemed libel;
- • post online activity that constitutes bullying or harassment;
- • bring the council into disrepute, including through content posted in a personal capacity;
- • post offensive language relating to race, sexuality, disability, gender, age, religion or belief or other relevant protected characteristics;
- • conduct any online activity that violates laws, regulations or that constitutes a criminal offence;

Members have been provided with a separate email address which is only used for Council business and correspondence. The nominated account will be subject to any request under the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004.

The policy sits alongside relevant existing policies which need to be taken into consideration.

The current Code of Conduct applies to online activity in the same way it does to other written or verbal communication.

Individual Town councillors and council staff are responsible for what they post in a council and personal capacity.

In the main, councillors and council staff have the same legal duties online as anyone else, but failure to comply with the law may have more serious consequences.

Social media may be used to:

- Distribute
 - agendas, post minutes and dates of meetings;
 - Advertise events and activities;
 -

- Good news stories linked website or press page;
- Vacancies;
- Re-tweet or share information from partner agencies such as Principal Authorities, Police, Library, Health etc;
- Announcing new information;
- Post or Share information from other Town related community groups such as schools, sports clubs, community groups and charities;
- Refer resident queries to the clerk and all other councillors.

5.0 Code of Practice

When using social media (including email) Town councillors and council staff must be mindful of the information they post in both a personal and council capacity and keep the tone of any comments respectful and informative.

Online content should be accurate, objective, balanced and informative.

Publishing untrue statements about a person which is damaging to their reputation is libel and can result in a court action and fine for damages.

This also applies if someone else publishes something libellous on your social media site. A successful libel claim will result in an award of damages against you.

Posting copyright images or text on social media sites is an offence. Breach of copyright will result in an award of damages against you.

Publishing personal data of individuals without permission is a breach of Data Protection legislation is an offence.

Publication of obscene material is a criminal offence and is subject to a custodial sentence.

Councillors views posted in any capacity in advance of matters to be debated by the council at a council or committee meeting may constitute Pre-disposition, Pre-determination or Bias and may require the individual to declare an interest at council meetings

Anyone with concerns regarding content placed on social media sites that denigrate Town councillors, council staff or residents should report them to the Clerk of the Council.

Misuse of social media content that is contrary to this and other policies could result in action being taken.

The moderator will have authority to remove any posts made by third parties from council social media pages which are deemed to be of a defamatory or libellous nature. Where appropriate the moderator will have the authority to report any such posting to any other appropriate agency including the Police and BCP Council's Safeguarding Unit.

This policy will be reviewed annually.



MIDSOMER NORTON TOWN COUNCIL TRAINING AND DEVELOPMENT POLICY

Adopted:

[Nalc model template](#)

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Identifying, meeting and evaluating training and development needs	3
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Guidance for support	5
Study leave	5

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Purpose and scope

This purpose of this policy is to set out the Council's position on the provision of training and development opportunities for staff. It applies to all staff whether full or part time, temporary or fixed term.

Identifying, Meeting and Evaluating Training and Development Needs

Training and development needs will be identified from a variety of sources:

- Induction and probationary periods
- One-to-ones
- Appraisal
- Workforce planning
- Team meetings
- Annual plan
- Change processes.

In addition, the council will encourage staff to identify their own learning styles and will seek to provide a wide variety of learning and training methods, including:

- Attendance at conferences, seminars and short courses
- Online training
- Internal coaching
- Shared in-house learning resources (books, journals, DVDs etc.)
- In house training
- Work shadowing
- Time for self-directed research and learning

The council adopts the Green Book terms and conditions of employment, staff attending or undertaking required training are entitled to payment of normal earnings; all prescribed fees and other relevant expenses arising. Employees are also entitled to paid leave for the purpose of sitting for required examinations. When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as fulltime employees.

Consideration

A number of factors will be taken into account when assessing a request from an individual. This policy provides one element of the decision-making process. Other factors will include availability of finance and the individual's employment record.

In order to ensure that the council is able to consistently evaluate requests, training and development opportunities have been organised into three categories according to the degree of importance each intervention has for different roles.

Categorising training and personal development

The three categories are as follows:

1. Mandatory

Mandatory training is legally required for the post-holder, or a qualification deemed to be so fundamental to the role, that the council makes it a mandatory requirement. Any mandatory training or qualifications are to be stated on the job description. They should also be stated in the contract for new starters, along with whom is responsible for the costs of the training/qualifications. For mandatory qualifications, it is unlikely that an applicant would be recruited without having previously attained the qualification. Where a qualification becomes mandatory for the role, the council will provide reasonable assistance for the employee to attain the qualification (see the section on Guidance for Support below).

Some mandatory training may be specific to a particular job role whilst other training may be a generic requirement. Examples of mandatory training include:

Generic training

- Health and Safety (Personal Safety, Manual handling, Display Screen equipment)
- Data Protection

1. Desirable

Desirable training is not legally required for the post, but it is directly relevant to the individual's job. Any desirable training or qualifications are to be stated on the job description.

For desirable qualifications or training, an individual may be recruited without having previously attained the qualification or undergone the training but may be expected to attain the qualification within a defined period of time. The need for training may also be identified through one-to-one meetings or annual appraisals. A desirable qualification is likely to enhance the skills and reputation of the council. Examples may include:

Job specific

- Certificate in Local Council Administration (CiLCA)
- Microsoft Excel]

2. Optional

An optional qualification or optional training may not be directly linked to the individual's current job. Optional training or development is generally more beneficial to the individual's career than it is for the council.

Personal development aimed at developing the skills or knowledge of an individual in order to provide a successor for an existing job is deemed to be optional. However, depending on the circumstances, training for succession may be 'desirable'.

Guidance for support

Since 2020 new contracts need to reference any training provided by the employer. It should also note if there is a requirement to gain a qualification within a stipulated amount of time, or where it is required that a qualification is maintained. If it is possible that the employment will be ended, if the qualification is not gained in the stipulated time, then the contract should state this.

Support for qualifications, training and personal development can include financial assistance towards the cost of tuition, examinations and resource materials in addition to half / day release and time off for study leave and taking the examination. Any financial and non-financial support to training and development is entirely at the discretion of the council.

Any financial support including the offer of a loan, will always be conditional upon the employee's agreement to either a full or partial repayment of the financial support provided. The council reserves the right to reclaim financial support where the employee.

- Leaves the council during the duration of the course, or up-to 1 year following completion of the course.
- Fails to complete the training.
- Fails to attend training without good reason.

Study leave

Where individual requires study leave to undertake mandatory training, they will be able to take all the leave within normal working hours.

Where individuals require study leave to undertake study which is not mandatory but part of the individual's formal continuous professional development, the council will contribute up to 50% of study leave time, to a maximum of 3 days per annum.

Where individuals require study leave to undertake training which is not mandatory but part of the individual's desire for career development, the council will contribute up to 3 days study leave per annum for courses which are directly related to the individual's role.

Time off for study leave must be approved in advance. To make a request the individual is asked to write to the Clerk (or Chairman of the Council), setting out the details of the course of study, how it relates to their work, and the time being requested.]

No study leave will be granted where individuals undertake study, which is not required for their role, or not directly related to their role. However, the Clerk (or Chairman of the Council) will consider requests for flexible working to allow the study to take place, as long as the needs of the council can be met.



MIDSOMER NORTON TOWN COUNCIL WHISTLEBLOWING POLICY

[Nalc model contract updated 9th August 2024](#)

Approved: -

MIDSOMER NORTON TOWN COUNCIL WHISTLEBLOWING POLICY

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Policy

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of the council is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the council. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

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

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

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

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

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the council should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee or other person working on behalf of the council will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.

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

Procedure

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

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

Stage 1

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

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

Stage 2

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

Stage 3

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

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

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014: www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with the data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

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