

# **EMPLOYEE HANDBOOK**

**NESTON TOWN COUNCIL**

**NESTON TOWN HALL**

**HIGH STREET**

**NESTON**

**CH64 9TR**

**(THE “EMPLOYER”)**

# EMPLOYEE HANDBOOK

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## EMPLOYEE HANDBOOK ISSUES & UPDATES

# EMPLOYEE HANDBOOK

SECTIONS	ISSUE NUMBER	DATE
7,9,17	3	May 2020
EO, Paternity, ShPL, Carers Leave, Flexible working	4	March 2024

# EMPLOYEE HANDBOOK

## INTRODUCTION AND WELCOME

We are pleased to welcome you to our team. We place great value on the contribution our employees make to our business and we offer continued support and encouragement to all our staff. We wish you every success during your employment with us and we hope that your experience of working with us will be enjoyable, positive and rewarding.

The Employee Handbook is designed to introduce you to our Council and set out our rules and regulations. It also advises you of our policies and procedures relating to your employment, duties and responsibilities.

If you have any queries with regard to the content of the handbook then please raise these queries with the Chief Officer.

General amendments to the Employee Handbook will be issued from time to time.

# EMPLOYEE HANDBOOK

## 1. EQUAL OPPORTUNITIES

The Employer is committed to providing a working environment in which employees are able to realise their full potential and to contribute to business success. This is a key employment value to which all employees are expected to give their support.

In order to create conditions in which this goal can be realised, the Employer is committed to identifying and eliminating discriminatory practices, procedures, and attitudes throughout the organisation. The Employer expects employees to support this commitment and to assist in its realisation in all possible ways.

Specifically, the Employer aims to ensure that no employee or job applicant is discriminated against, either directly or indirectly, on the grounds of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. This commitment applies to all the aspects of employment outlined below:

- Recruitment and selection, including advertisements, job descriptions, interview and selection procedures.
- Training.
- Promotion and career development opportunities.
- Terms and conditions of employment, and access to employment related benefits and facilities.
- Grievance handling and the application of disciplinary procedures.
- Selection for redundancy.

Equal Opportunities practice is developing constantly as social attitudes and legislation change. The Employer will keep its policies under review and will implement changes where these could improve equality of opportunity. This commitment applies to all of the Employer's employment policies and procedures, not just those specifically connected with equal opportunity.

## 2. EQUALITY & DIVERSITY

### Introduction

The Town Council is committed to ensuring that it serves all Neston residents. In employment, this means that the Council's aim is to recruit and retain the best employees regardless of background. This policy sets down the minimum standards that it will operate to, in order to achieve this.

It also aims to ensure that no-one will be discriminated against because of race, age, gender, religion, sexual orientation, disability, marital status, or receive any other form of discrimination that hinders the promotion of equal opportunities.

The Council aims to be consistent with good practice and will take account of advice and guidance issued by bodies such as the Equality and Human Rights Commission.

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## Employment Issues

### Recruitment & Selection

The Council's policy is to select people on the basis of their suitability for the role, as defined by a properly constructed job description and person specification. All job descriptions will be reviewed to ensure that they are still relevant prior to advertising a vacancy, and any criteria that are no longer applicable or which may be indirectly discriminatory will be removed.

Vacancies will be advertised to the widest possible audience and will utilise sources that ensure that all sections of the community have the opportunity to apply. However, this does not stop the Council from restricting recruitment advertising in certain situations (e.g. in a redundancy situation; where the role requires particular specialist skills which can only be found from a specific source; or where the same or similar position has been advertised in the immediate past).

Where appropriate, applications will be monitored to ensure that they appear to reflect the wider community. All job adverts will contain the statement that Neston Town Council is an Equal Opportunities Employer.

Shortlisting for interview will be done in accordance with the defined criteria and all managers (and Councillors involved in recruitment) will receive guidance and information in interviewing skills and recruitment legislation before undertaking interviews. Notes will be taken for all interviews and retained for a period after the selection process.

The Council will consider flexible working arrangements, where operationally feasible, to allow as many people as possible the opportunity to work for it.

### Training and Promotion

Decisions on training, promotion and other employment matters will be based on organisational need and non-discriminatory procedures. The Council will also, where appropriate, consider using the provisions of the Equality Act to undertake "positive action" training to ensure that underrepresented groups are fully represented in the workforce.

### Disability

The Council recognises that it may be necessary to undertake adjustments of various kinds in order to allow individuals with disabilities to work for us. It will look positively at whether and how this can be done, on an individual case basis, as it recognises that people with the same or similar disabilities will have different requirements.

### General conduct at work

All staff will be expected to ensure that they comply with the principles of this policy. In line with its general code of conduct, the Council will strive to ensure that the organisation has a positive working atmosphere where no member of staff, customer or volunteer is the subject of belittlement, insult or offensive remarks. All new staff and volunteers will be given the code of conduct and briefing on this area as part of their induction.

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## **Serious breaches of this policy might be considered as gross misconduct.**

If individual staff members feel they have been discriminated against, or subjected to some other kind of detriment which they believe is as a result of their race/sex/disability/age/religious belief/sexual orientation, then they should raise the matter with the Chief Officer.

If this behaviour has come from a Councillor or external source (such as a client or supplier) then the Council expects staff members to raise it immediately. The Council will not accept such behaviour and will investigate matters promptly and thoroughly.

## **Remuneration**

The Council will ensure that its criteria for determining employees' pay are consistent with equal pay requirements.

## **Record Keeping**

For the purposes of monitoring how effective this policy is in practice, and for no other reason, the Council may maintain records of employees' and applicants' racial origins, gender and disability.

## **Publicity/Advertising**

Publicity materials will not only emphasise that our services and job opportunities are available to all but will utilise all appropriate media to ensure that all sections of the community can access the information.

## **Personal Responsibility**

The Council will do everything possible to ensure that it operates in a non-discriminatory way. Staff members may be held personally responsible in law for discriminatory behaviour, especially if they have contravened this policy or behaved in a way which is contrary to a direct instruction from their manager, or a decision of the Council.

## **Review**

The Council will review this policy and any procedures arising from it in the light of changes to legislation, case law or other guidance issued.

## **3. GENERAL EMPLOYMENT PRINCIPLES**

Neston Town Council exists to improve the local community and create a civic pride in our area. All our work is to help achieve this and the Council expects its staff to have this as their overriding objective.

Within this, the Council has the following expectations of the people who work for it.

### **a) General Standards**

- As the Council is a public body, it expects the highest standards of honesty and integrity.
- Any personal conflict of interest, or any attempt to influence your decision in an unlawful or malicious way, should be brought to the attention of the Council immediately
- As an employee you work for the Council as a whole and must provide your advice and guidance in a politically neutral way.



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- The Council's decision-making processes are open and transparent, and you are expected to ensure that your actions fully support this principle.
- As a general rule the Council has no interest in what you do outside work. However, it may have an interest in your activities if a) you are involved in any form of criminal activities, b) you are involved in activities which damage the reputation of the Council or its relationship with organisations it works with, c) you make deliberate attempts to damage or affect the Council (for example by publicly revealing confidential information) or d) you bully, harass or behave inappropriately with work colleagues or other people that you deal with in work, outside the working environment.

## **b) Day to Day Working**

- As a small organisation, it is important that all staff work closely together, in a collaborative way. Staff are expected to treat each other with courtesy and respect.
- Our expectation is you will carry out your work to the best of your ability
- It is important you attend work regularly and on time.
- You must follow any rules or procedures that are adopted - these are designed to make the Council run more smoothly
- If you are experiencing any problems in work, for example if you are struggling to achieve your outcomes or feel that you are having to work excessive hours to achieve them, it is your responsibility to bring this to the attention of the Chief Officer.
- The Council has a duty of care to its employees and expects that you make every effort to balance your time so that both home and work are healthy and effective – for example by taking adequate holidays.
- As an employee, you can expect the following from the Council
- That it will, at all times, comply with its legal responsibilities as an employer
- That it will ensure that you work in a safe environment
- That individual Councillors will treat all employees with courtesy and respect
- That it will support employees wherever possible, in order to assist them to achieve their work objectives.
- That it will listen to and seek to address employees' concerns.

## **4. DATA PROTECTION**

Employees may be required to give certain information relating to themselves in order that the Employer may properly carry out its duties, rights and obligations as the Employer. The Employer will process and control such data in line with current legislation and Regulations.

The term 'processing' may include the Employer obtaining, recording or holding the information or data or carrying out any set of operation or operations on the information or data, including organising, altering, retrieving, consulting, using, disclosing, or destroying the information or data. The Employer will adopt appropriate technical and organisational measures to prevent the unauthorised or unlawful processing or disclosure of data.

Further information is available from the Chief Officer.

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## 5. WHISTLE-BLOWING

Employees may, in properly carrying out their duties, have access to, or come into contact with information of a confidential nature. Their terms and conditions provide that except in the proper performance of their duties, employees are forbidden from disclosing or making use of in any form whatsoever such confidential information. However, the law allows employees to make a 'protected disclosure' of certain information. In order to be 'protected' a disclosure must relate to a specific subject matter (listed below) and be made in an appropriate way. The disclosure must also be made in good faith and in the public interest.

If in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following, they must use the Employer's disclosure procedure set out below:

- That a criminal offence has been committed, is being committed or is likely to be committed;
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which the individual is subject;
- That a miscarriage of justice has occurred, is occurring, or is likely to occur;
- That the health or safety of any individual has been, is being, or is likely to be, endangered;
- That the environment, has been, is being, or is likely to be, damaged;
- That information tending to show any of the above is being or is likely to be deliberately concealed.

### Disclosure Procedure

Information which an Employee reasonably believes tends to show one or more of the above should promptly be disclosed to their manager so that any appropriate action can be taken.

Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. However, failure to follow this procedure may result in the disclosure of information losing its 'protected status'. For further guidance in relation to this matter or concerning the use of the disclosure procedure generally, employees should speak in confidence to the Chief Officer.

## 6. RIGHTS OF SEARCH

Although we do not have the contractual right to carry out searches of employees and their property (including vehicles) whilst they are on our premises or business, we would ask all employees to assist us in this matter should we feel that such a search is necessary.

Where practicable, searches will be carried out in the presence of a colleague of your choice who is available on the premises at the time of the search. This will also apply at the time that any further questioning takes place.

We reserve the right to call in the police at any stage.

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## 7. MATERNITY/PATERNITY/ADOPTION/ SHARED PARENTAL LEAVE

### Maternity/Paternity/Adoption Leave

There is no contractual maternity/paternity or adoption pay in addition to the statutory. If you (or your partner) become pregnant or if you are informed that a child is to be placed with you by an Adoption Agency, you should notify the Chief Officer at the earliest possible opportunity so that your entitlements can be explained to you.

### Maternity Leave and Pay

Subject to eligibility, pregnant employees are entitled to a total of 52 weeks' maternity leave. This is broken down as follows:

- 26 weeks' Ordinary Maternity Leave
- 26 weeks' Additional Maternity Leave

Employees will be subject to Compulsory Maternity Leave whereby they will not be permitted to work for 2 weeks' after your baby has been born (4 weeks for factory workers).

The Company does not operate an occupational maternity scheme and therefore Statutory maternity entitlements will apply. Whether an employee may be entitled to receive statutory maternity pay will be assessed upon receipt of their MATB1. Should an employee qualify for SMP it is paid over a 39-week period and this is paid as follows:

- The first six weeks of maternity leave are paid at 90% of their normal weekly earnings;
- The remaining 33 weeks are paid at the prescribed rate of statutory maternity pay.
- Pregnant employees are entitled to paid time off to attend ante-natal appointments.

### Adoption Leave and Pay

Subject to eligibility, an employee who is the 'main adopter' of a child is entitled to a total of 52 weeks' adoption leave. This is broken down as follows:

- 26 weeks' Ordinary Adoption Leave
- 26 weeks' Additional Adoption Leave

The Company does not operate an occupational adoption scheme and therefore Statutory adoption entitlements will apply. Should an employee qualify for statutory adoption pay it is paid over a 39-week period and this is paid as follows:

- The first six weeks of adoption leave are paid at 90% of their normal weekly earnings;
- The remaining 33 weeks are paid at the prescribed rate of statutory adoption pay.

Employees that are the 'main adopter' are entitled to paid time off to attend adoption appointments.

### Paternity Leave and Pay (birth or adoption)

Subject to eligibility, employees are entitled to take up to two consecutive weeks of leave as paternity leave. Employees are entitled to receive statutory paternity pay. This is paid at the statutory rate.

Leave must be taken within 56 days of the actual birth or placement of the child.

**For births/adoptions on or after the 6<sup>th</sup> April 2024, new leave entitlements will be in effect as follows: Subject to eligibility, employees are entitled to take up to two weeks of leave as paternity leave either as a block of one or two weeks or as two separate weeks. Leave is to be taken in the 52 weeks following the birth or adoption. This is paid at the statutory rate.**

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## Shared Parental Leave (SPL)

Parents of children (or adopted children) may, subject to eligibility, be entitled to choose how they share parental leave in the child's first year. If eligible, employees are entitled to take SPL and be paid for SPL in line with the statutory provisions. For further details, please refer to your line manager.

## Shared Parental Leave - Pay

Subject to eligibility, employees are entitled to take up to 52 weeks' shared parental leave, less the weeks of maternity leave or adoption leave taken.

The Company does not operate an occupational shared parental scheme and therefore Statutory shared parental entitlements will apply. Should an employee qualify for statutory shared parental pay, it is paid for up to 39 weeks and is paid at the statutory rate.

## Parental Leave

To take a period of parental leave in relation to a child, you must:

- Have at least one year's continuous employment;
- Have or expect to have responsibility for the child (up to the child's 18<sup>th</sup> birthday); and,
- be taking the leave to spend time with or otherwise care for the child.

Employees who fulfil the criteria are entitled to take up to 18 weeks' unpaid parental leave in relation to each child for whom they are responsible.

Unless the leave is to be taken in respect of a child entitled to a disability living allowance, you:

- Can only take parental leave in blocks of a week's leave or a multiple of a week's leave; and,
- Are only entitled to take four weeks' parental leave each year in relation to each child. A year for this purpose begins on the date when you became entitled to take parental leave in relation to the child in question.

Parents must give 21 days' written notice to take parental leave and it must be taken in blocks of multiples of one week (part weeks, including single days or part days, count as whole weeks) up to a maximum of four weeks in any one year. Parents of disabled children must give 21 days' written notice and have the additional flexibility to take leave in days without them being counted as whole weeks, although part days count as full days.

Leave can be postponed by the Employer for up to six months where the business has a justifiable reason for the delay, except when a father gives the above advance notice to take leave immediately after the date when the child is born or when the partner of an adoptive parent gives the above advance notice to take leave immediately after the date when the child is placed for adoption. In circumstances where leave is postponed, the Employer will consult with you in order to try to agree a suitable alternative leave date.

## 8. CARER'S LEAVE

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Subject to eligibility, one weeks' unpaid leave may be granted in any 12 month period for employees who care for dependants with long term needs. This right to leave is available to all employees from day one of employment.

A dependant is defined by the statute as *a spouse, civil partner, child, or parent of the employee, someone who lives with the employee as part of their family or someone who can reasonably rely on the employee to provide or arrange care. It does not include tenants or boarders living in the family home, or someone who lives in the home as an employee, e.g. a live-in nanny.*

"Long term needs" are defined as:

- Anyone with a condition that meets the definition of disability under the Equality Act 2010;
- Illness or injury (physical or mental) that requires or is likely to require care for more than three months, or;
- Old age.

## 9. TIME OFF FOR DEPENDANTS

The Employer recognises that time off for dependants is designed to support employees where emergencies arise that are related to children or dependants. The Council will allow employees to take reasonable unpaid time off work to deal with an emergency involving a dependant. This leave is intended to cover genuine emergencies.

A dependant is defined by the statute as;

*'the partner, child, or parent of the employee, or someone who lives with the employee as part of their family. It does not include tenants or boarders living in the family home, or someone who lives in the home as an employee, e.g. a live-in nanny. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who can reasonably be said to rely on the employee for assistance'.*

Leave may be granted to an employee for the purpose of dealing with a situation involving a dependant such as for example:

- A child or dependant who is sick, injured or assaulted
- An adult for whom an employee cares where no other arrangements can reasonably be made for someone else to look after the person
- A serious incident involving a child at school
- A serious illness involving a dependant
- A child or dependant whose usual care arrangements are unexpectedly disrupted

Time off for dependants will not be granted to deal with predictable domestic arrangements that could be accommodated using annual or flexi-leave (for example regular childcare and childcare during the school holidays).

Employees must report their absence to the Chief Officer as soon as is reasonably practicable. They also need to advise of the reason for their absence and how long they expect to be away from work.

## 10. BEREAVEMENT LEAVE

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Reactions to bereavement may vary greatly according to individual circumstances and the setting of fixed rules for time off is therefore inappropriate. Up to 3 days with pay may be authorised for immediate family members only.

You should discuss your circumstances with the Chief Officer and agree the appropriate time off.

## **Parental Bereavement Pay**

Employees are entitled to up to 2 weeks' leave following the death of a child under 18, including a stillbirth after 24 weeks of pregnancy. Parental bereavement leave is paid at the lower of the employee's normal weekly earnings or the current statutory rate.

## **Refusal of leave**

An employee who feels that they have been unreasonably refused the right to compassionate, domestic emergency or bereavement leave or who feel that they have been victimised for requesting leave should, in the first instance raise the matter with their line manager. They have the right to raise the matter through the [grievance procedure](#).

## **11. LEAVE FOR A DOMESTIC EMERGENCY**

Leave for a domestic emergency is designed to support employees where the emergencies are unrelated to children or dependants. Leave may be granted to an employee to deal with a domestic emergency. This leave is unpaid.

Examples of an emergency include:

- A road accident or other similar accident involving the employee
- The breakdown or theft of the employee's car
- A burglary at the employee's home or a violent crime involving the employee
- Fire or flooding at the employee's home.

This list is not exhaustive. In determining whether request for leave should be granted the Employer will take the following factors into consideration:

- The nature and extent of the emergency
- The availability of others to deal with the emergency
- The likely impact of the emergency on the employee

This leave is intended to cover genuine emergencies. If an employee knows in advance that they are going to need time off for a domestic issue (for example in the case of delivery of goods to the employee's home) they should ask for leave in the normal way.

## **Refusal of leave**

An employee who feels that they have been unreasonably refused the right to compassionate, domestic emergency or bereavement leave or who feel that they have been victimised for requesting leave should, in the first instance raise the matter with their line manager. They have the right to raise the matter through the [grievance procedure](#).

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## 12. SICKNESS & ATTENDANCE

While the Town Council understands that illness is something that is outside individual control, as a small organisation, any staff absence can have a significant impact on its work. If you are unwell and unable to attend work, please let your manager know as soon as possible, as the Council may need to rearrange work or cancel meetings on your behalf. Although every illness is different, if you are able to say how long you expect to be off that would be helpful.

If your absence is for 7 days or less, then you must complete a self-certificate stating the reasons for absence on your return. Absences greater than 7 days must be supported by a medical certificate from a doctor. In the case of a lengthy absence, where you require more than one “doctor’s note”, it is your responsibility to ensure that you have a new certificate before the old one expires.

If you start incurring regular short-term absences, cumulative absences over a period, or your absences appear to follow a pattern, the Town Council may wish to have a confidential discussion with you regarding your attendance. The primary aim is to support staff by looking at ways to assist in either the short term or a more permanent basis, provided that it does not compromise the Council’s overall objectives. The Town Council may also wish to seek medical advice (with your consent) from your doctor or other health professional on the best way forward.

If, despite these efforts and independent advice, your attendance continues to fall below the standards that the Town Council expect, then it may be necessary to take further action via the disciplinary or medical capability procedure.

If your absence is prolonged the Council will keep in touch with you, although this will be done sensitively and in accordance with your wishes. As a general rule, if your absence exceeds 4 weeks the Council will wish to obtain some medical advice (with your consent) from your doctor or other health professional regarding the possible length of your absence and prospects for your return, as well as any other advice. Whether or not your illness could be considered a disability under the formal legal definition the Town Council will always consider whether there are any reasonable adjustments that could be made.

While the Town Council will make every effort to support you, there may be circumstances where the Council cannot fulfil its organisational objectives without your role being undertaken and if this happens then it may be necessary to consider your dismissal on health grounds. This will always be a last resort and the options will be fully discussed with you before any final decision is taken.

The Town Council treat mental health issues as seriously and with the same general approach as physical illnesses. Sometimes mental health issues can manifest themselves in other ways, such as excessive “presenteeism”. If at any point you believe you are suffering from a mental health issue which is affecting, or caused by, your work, please talk to your manager in complete confidence. The Council will take whatever steps possible to support you.

## 13. FLEXIBLE WORKING TIME

**Before 6<sup>th</sup> April 2024**

You must have 26 weeks service to make an application and you are only entitled to make one application in any rolling 12-month period. All other aspects of the process are as the process below.

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## **Applicable after 6<sup>th</sup> April 2024**

All employees have the right to request flexible working providing they meet the criteria. The request will be considered by the Employer and providing the request falls within the parameters of the legislation and is in accordance with the needs of the business it may be granted.

In order to qualify for flexible working, you must be an employee, but not an agency worker. **No more than two requests may be submitted in any twelve-month period.**

Under the law we must reasonably consider any application you make, and only reject it if there are good business reasons for doing so. You have the right to ask for flexible working – not the right to have it.

Your flexible working request should be submitted in writing and dated. It should:

- State that it is a flexible working request;
- Explain the change being requested and propose a start date;
- State whether you have made any previous flexible working requests.

Following receipt of your request, a meeting will be arranged at a convenient time and place to discuss your request. We may decide to grant your request in full without a meeting, in which case we will write to you with our decision.

You will be informed in writing of the decision as soon as possible after the meeting.

Once the flexible working arrangements have been agreed, unless stated otherwise, this becomes a permanent change to the contract of employment.

Employees who do not have the legal right to request flexible working are, of course, free to ask the Employer if they can work flexibly.

## **14. FLEXI-TIME**

### **Background**

Flexible working time is now commonplace in many organisations and may improve working conditions for staff at the same time as improving efficiency in the organisation. A scheme should allow for staff to work at times which may better allow for personal circumstances, at the same time as ensuring the organisation is serviced at all key times

The number of staff employed by Neston Town Council has increased since 2009 and the demands of the roles undertaken are varied. There is a requirement of staff to work flexibly to meet with the operational requirements of the Council. However, given the small number of staff employed by the Town Council, any scheme should be simple to understand and administer.

### **Scope**

There is a requirement for appropriate staff to be available at the following times:

- Public opening of the Town Hall reception weekdays from 09:00 to 12:00
- Committee or Council meetings most Tuesdays from 18:00 (18:30) to 20:00 (20:30) or later
- Ad hoc meetings of committees at other times.



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- Market operations on Fridays from 06:00 to 16:00 (and some Saturday mornings).

**In addition, any flexitime procedure should, as far as is practicable, minimise lone working.**

## **Policy**

Individual staff members must take responsibility for recording their time- there should be no requirement for the Town Council to invest in time management software or “clocking in” systems. Line managers should simply monitor the system and only take action if problems are encountered (e.g. an individual working significantly more or less than their contractual hours)

- a) The period of time to be calculated is 4 weeks, with no more than 80% or credit or 20% of debit of an employee’s weekly contracted hours to be carried forward to the next 4-week period.
- b) The flexi-time scheme should be used by staff within agreed limits which meet operational requirements – this will involve starting work before 8.00 am only in exceptional circumstances
- c) Any flexi time off must be agreed in advance with line managers as with all leave to ensure operational requirements are met

The scheme should be reviewed periodically’

Staff should be aware that misuse of the flexitime scheme could be considered a disciplinary matter. In a serious case it might be classed as gross misconduct.

Certain roles may not be appropriate for flexitime working due to their specific tasks. If a new role is proposed to or recommended by the Town Council and the relevant manager does not wish it to form part of the flexitime process, then this must be made clear in any proposal, otherwise it will be assumed that the post can work within the rules of this scheme

Staff must take a minimum break of 20 minutes if they work more than 6 hours in on day.

## **15. INCREMENTS**

The Council has employed staff at different periods of time and advertised different rates of pay according to skill sets and requirements of the Council. It was agreed to formalise and adopt an increment policy.

- Where a role is advertised on a salary scale, rather than a fixed spinal column point, the Council has adopted clear criteria for advancing from one point to the next
- Any increment awarded will take effect on 1 April.
- An increment will not be awarded unless an employee has been in their role for 6 months or more at 1 April (i.e. appointed to their role on or before 30 September)

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- An increment will be awarded to a staff member who meets the service requirement in 3 above only if an employee is working to a satisfactory standard. This will be based on their performance review.
- For certain roles, the Council may put a “bar” on incremental rises above a certain point unless a specific qualification is achieved or a specific criterion met.

## 16. JURY SERVICE

Employees are entitled to time off work to attend for Jury Service. Employees should notify the Employer immediately on receipt of the Jury Summons giving full details.

Employees will not normally be paid for this time off and are advised to claim the expenses which they are entitled to from the Court. This will normally include compensation for loss of earnings.

## 17. COMPUTERS, E-MAILS AND INTERNET USE

Misuse of the e-mail system by transmission of any material, which is defamatory, offensive or obscene, untrue or malicious, or in breach of copyright will constitute gross misconduct. In particular, the processing (which means storing, sending or downloading) of sexually explicit material will constitute gross misconduct. You must not use your Council e-mail address for your own personal correspondence.

### Council Equipment

You may be given access to, or use of Council IT equipment, such as a laptop, tablet or mobile phone. If you are using Council equipment away from our offices, you are expected to:

- Take good care of the equipment
- Use in accordance with the policy/guidelines below
- Return it to our offices when not required
- Not add ‘apps’ or other programmes without authority.

In the case of mobile phones, you must not make or receive calls, or send or read text messages while driving, unless you have “hands-free” equipment fitted. Even if you do have such equipment fitted, you must still ensure that it is safe for you to make/receive a call. The Council does not expect you to make/receive calls while driving. A breach of this rule might be considered as grounds for disciplinary action.

### Appropriate Use of E-mail

As a public body, Neston Town Council is subject to the Freedom of Information Act. This means that any communication you make in the course of your work could become public.

In order to present a professional image of the Council, you should follow the standards below when using our e-mail systems:

# EMPLOYEE HANDBOOK

- Council e-mail should only be used for work related matters, not communications of a personal nature.
- You should avoid making negative, critical or derogatory comments about individuals or organisations. If you are experiencing difficulties with a specific individual, you must speak to your Line Manager rather than attempting to solve matters yourself
- While the style of e-mails is often less formal and “chattier” than a letter, you should not be including overly personal or light-hearted comments, slang or swear words, or discuss non-work matters within a work e-mail
- You should avoid the use of “emojis”/ “smiles” in work e-mail. You should also observe other standard e-mail conventions (e.g. not using all capital letters, which is considered as “shouting”)
- You should always use Neston Town Council’s email template when sending emails to outside organisations or to companies as appropriate.
- You should not circulate “joke” or “spam” e-mail
- You must scan any attachment to an e-mail (especially if it is unsolicited) for viruses or other malicious programs before opening it. Under no account should you open a file ending in “.exe” or “.scr” as these are two of the most common forms of transmitting malicious programs
- You should remember that managers or work colleagues might need to access your work e-mail for legitimate work reasons. As such you can have no expectation of privacy of the content of your work emails
- You are not permitted to download any video-based material or content that requires a TV licence.
- You are not permitted to divert any work e-mails to your personal device without prior consent of your Manager.

The three general principles to follow are:

- Use the same standards within an e-mail as you would in any other written communication
- Anything you say in an e-mail could become public – you should have no expectation of privacy
- If an incoming email contains an attachment or a URL website link which was unexpected, or the attachment/website link is unusual in any way it is best to avoid opening the attachment or clicking on the website link

A failure to follow these standards might result in disciplinary action being taken against you. If the circumstances were serious, it could be considered gross misconduct and lead to your dismissal.

## **Appropriate Use of the Internet**

You are given Internet access primarily to facilitate research for work. However, limited personal use of the Internet is acceptable, provided that such use is restricted to break or quiet periods and does not affect your work performance. The Council can and does monitor Internet usage and inappropriate or excessive personal use of the Internet might lead to disciplinary action. In certain cases, it might be considered gross misconduct and lead to your dismissal.

# EMPLOYEE HANDBOOK

The following activities are considered inappropriate use of the Town Council's Internet and Computer facilities:

- Accessing or downloading of pornographic sites (whether legal or not in the UK)
- Accessing of sites relating to activities illegal in the UK
- Accessing of sites promoting violence, racial hatred or extreme political views
- Using your work e-mail address to register for sites
- Using Council Internet facilities to undertake non-work-related activities, for example selling or promoting merchandise or services, promoting membership in non-business-related organisations, promoting personal or political causes etc
- Downloading or installing non-work-related files (for example music mp3s or videos) onto Council computers
- Downloading or otherwise installing programs that are not related to work matters (e.g. games)
- Downloading programs or agreeing to licences without authority
- Downloading viruses or other malicious programs – this includes failing to check or scan attachments with anti-virus software or accessing data on peer-2-peer (p2p) file sharing networks
- Entering into contracts or other legally binding agreements online without authority

## **Appropriate Use of Social Media**

If the Council uses social media to inform residents or the Council and its events, and you are given access to this (for example being able to enter updates to a Council's Twitter feed) then you must only use this for the purposes it has been established for, not for any personal views or messages. If in doubt as to the content/tone of a message you should seek advice from your Line Manager before posting

Outside work, the Council generally has no interest in your online activities. However, you should be aware that if we find any evidence that you are using internet services such as chat rooms, message boards, forums, blogs or social networking (e.g. Facebook/Twitter) sites to:

- post comments which appear to represent the view of the Council, or
- post negative or derogatory comments about the Council or individuals associated with it (it does not matter if the Council or the individuals are not named if there are other ways in which they might be identified), or
- bully or harass individuals connected to the Council.

We would consider this to be unacceptable and we may consider it grounds for disciplinary action.

You should also be careful not to "blur" personal and professional boundaries – please consider carefully whether you wish to add a work colleague to a personal account (e.g. as a "Facebook friend"). You should also remember that comments made on such sites can be widely transmitted outside of your control. You may wish to review your privacy settings to limit the possibility of this happening.

## **18. SOCIAL NETWORKING POLICY**

# EMPLOYEE HANDBOOK

A social network service focuses on the building and verifying of online social networks for communities of people who share interests and activities, or who are interested in exploring the interests and activities of others.

Most social network services are primarily web based and provide a collection of various ways for users to interact, such as chat, messaging, email, video, voice chat, file sharing, blogging, discussion groups. Social networks include, but not limited to Facebook, Twitter, LinkedIn, Instagram, WhatsApp, Snapchat, Messenger and personal blogs.

## **The purpose of a social networking policy**

- To help the Council against potential liability;
- To give employees clear guidance on what can and can't occur in relation to the Council or other employees;
- To help employees separate their professional and personal communication;
- To comply with the law on data protection, discrimination and protecting employees.

Standards employees are required to comply with are as follows:

1. Employees will not maintain any of their own / personal site that contains personal identifiable information of the Council or Staff
2. Employees will not maintain a site that contains photographs of clients.
3. Employees will not maintain a site that contains identifiable information of a client or an employee in relation to their performance and character.
4. Employees will not maintain a site that contains photographs of another employee taken in the work situation or in their working uniform.
5. Employees will not maintain a site that contains defamatory statements about the Council, its current or ex-employee, the Council's services or contractors.
6. Employees must not express opinions on the sites that purport to represent their own views on the Council's.
7. Employees must never post a comment on the sites that purports to represent the views of the Council without first consulting the management team.
8. Employees must not breach Council's confidential information.

As an employee of the Council, the Council has a reasonable and lawful expectation that staff will not bring the Council into disrepute, this is extended to the home environment as well. Any grievance with the organisation should be processed through procedures and policies already in place and dealt with within the work environment.

If employees become aware of a breach in this policy, they should contact their line manager in the first instance if it is appropriate to do so. It is possible such a matter may be resolved locally. If this is not the case and if staff are found to have contravened this policy, disciplinary sanctions, up to and including dismissal can occur.

The Council reserves the right to access and monitor all emails and internet activities carried out on Council's equipment including the use of any social networking site.

# EMPLOYEE HANDBOOK

## 19. HEALTH AND SAFETY

The Health and Safety officer for this business is the Chief Officer. Any incidents must be reported immediately. A sensible approach, from a safety angle, must be taken to appropriate seating and work place conditions. After a reasonable period attending to a computer or other screen, you must transfer to working on an alternative type of work for a short period.

You should make yourself familiar with our Health and Safety Policy and your own health and safety duties and responsibilities, as shown separately.

You must not take any action that could threaten the health and safety of yourself, other employees, service users or members of the public.

Protective clothing and other equipment which may be issued for your protection because of the nature of your job must be worn at all times. Failure to do so could be a contravention of your health and safety responsibilities and may incur disciplinary action. Once issued, this protective wear is your responsibility.

You must ensure that you are aware of our fire and evacuation procedures and the action you should take in the event of such an emergency.

## 20. REPORTING AN ACCIDENT IN THE WORKPLACE

The Employer requires an employee to report a workplace injury to the Employer so that the Employer can thoroughly investigate the accident to prevent it from occurring in the future.

There are various types of workplace accidents and they include major injuries, injuries that require an employee to miss work for more than a seven-day period, work-related diseases, dangerous occurrences, if a member of the public is taken directly to the hospital or any deaths. Falls, explosions, burns and being caught in machinery are types of accidents that can also occur in the workplace.

The features listed on an accident report should detail certain specifics such as:

- the date of the accident;
- the date that the accident was reported;
- the employee's personal information;
- details of the injury and how it was caused;
- who witnessed the accident.

The accident report should be signed by an employer or manager along with any comments they may have pertaining to the accident. An entry should be made into the accident book as soon as possible after the accident/incident but in any event no later than the end of the day.

The accident book is kept in locked away in the reception office cupboard.

# EMPLOYEE HANDBOOK

Reporting accidents is beneficial to the workplace as it allows for identification of how and where risks in the workplace arise. This gives the Employer and individuals knowledge on how to possibly prevent the same type of accidents and other accidents in the workplace from recurring and prevent pain and suffering from individuals in the workplace.

## 21. ALCOHOL DRUGS AND PSYCHOACTIVE SUBSTANCES POLICY

Under legislation we, as your Employer, have a duty to ensure so far as is reasonably practicable, the health, safety and welfare at work of all our employees and similarly you have a responsibility to yourself and your colleagues. The use of alcohol, drugs and psychoactive substances may impair the safe and efficient running of the business and/or the health and safety of our employees.

The effects of alcohol, drugs and psychoactive substances can be numerous: -  
(These are examples only and not an exhaustive list)

- Absenteeism (e.g. unauthorised absence, lateness, excessive levels of sickness, etc.):
- Higher accident levels (e.g. at work, elsewhere, driving to and from work); and
- Work performance (e.g. difficulty in concentrating, tasks taking more time, making mistakes, etc.).

If your performance or attendance at work is affected as a result of alcohol, drugs, or psychoactive substances or we believe you have been involved in any drug related action/offence, you may be subject to disciplinary action and dependent on the circumstances, this may lead to your dismissal.

## 22. WORK-RELATED STRESS

The Health and Safety Executive's definition of stress is 'the adverse reaction people have to excessive pressures or other types of demand placed on them'. The Employer recognises the need to identify the difference between the beneficial effects of motivating challenges and work-related stress, which is the natural but distressing reaction to demands or pressure that the employee cannot cope with at a given time.

Work-related stress exists where people perceive they cannot cope with what is being asked of them at work. The Employer recognises that work-related stress is not an illness but that if it is prolonged and intense, it can lead to problems with ill health.

### Responsibilities of all Employees

Employees have a responsibility to take reasonably practicable steps to minimise their own stress levels and those of their fellow workers who may be affected by their acts or omissions. They also have a legal responsibility to comply with the Health and Safety at Work legislation and other statutory regulations to take reasonable care of their health and safety and that of other persons with whom they work. Employees should, therefore, draw the attention of the Employer to any concerns about work-related stress which might present a health hazard to themselves or other individuals.

# EMPLOYEE HANDBOOK

## Responsibilities of the Employer

The Employer will support employees in dealing with work-related stress through discussions. Wherever reasonably practicable, an employee experiencing excessive and sustained work-related stress will have their work adapted, including the possibility of alternative employment within the organisation, so as to remove the risk or reduce it to an acceptable level.

The following principles apply to the Employer's approach to dealing with stress:

- The management of stress will be dealt with in a way that is non-discriminatory and in accordance with our equal opportunities policy.
- Employees will be dealt with fairly and consistently across the organisation.
- The Employer will aim to provide a positive and preventative approach to stress rather than a punitive one.
- The Employer will be sensitive and supportive, as far as is reasonably practicable, to those experiencing stress.
- The management of stress, including the monitoring of stress-related information will be conducted with respect for individual confidentiality and in accordance with the requirements of the Data Protection and Access to Medical Reports Acts.
- Open communication will be encouraged and promoted.

## 23. GENERAL INFORMATION AND PROCEDURES

- No alcoholic liquor, non-prescription drugs or psychoactive substances are to be brought onto the premises of the Employer and no gambling is allowed on the premises.
- If you arrive for work and, in our opinion, you are not fit to work, we reserve the right to exercise our duty of care if we believe that you may not be able to undertake your duties in a safe manner or may pose a safety risk to others, and send you away for the remainder of the day without pay and, dependent on the circumstances, you may be liable to disciplinary action.
- During severe weather conditions, you have no automatic legal entitlement to stay away from work or remain at home on full or reduced pay.  
If, due to any adverse weather conditions, you are unable to reach your place of work you should contact the Chief Officer, or the Mayor and or a member of the office staff. Daily contact must be maintained if the absence lasts for more than one day.  
The Chief Officer will determine which of the following options may be available to you.
  - a) To take this time as annual holiday leave
  - b) To take the time as unpaid leave
  - c) To work from home **subject to your job role**

Every effort should be made to return to work as soon as it is deemed safe to do so.

- You are not permitted to use the Council's address for the purposes of private mail. Unless the prior express authorisation has been given by the Chief Officer.



# EMPLOYEE HANDBOOK

- Employees must not accept directly or indirectly any payment or any other benefit or item of value of more than nominal value of less than £25 from any supplier or client or from anyone else with any actual prospective business relationship with the Employer. Friendships may develop between clients and employees. However, any relationship between a client and an employee which is likely to jeopardise business relations of the Employer is not acceptable. Employees must use their common sense to avoid any actual relationships.
- We recognise that, from time to time, close personal relationships may develop between members of staff and between staff and customers. In order to ensure that potential conflicts of interest are avoided, members of staff who are in that position are strongly recommended to advise the Chief Officer.  
Any such information will be treated in the strictest confidence. We fully acknowledge the right of employees to privacy in their personal affairs. However, experience has shown that the effect of such relationships can cause a blurring of judgement whereby conflicts of interest arise and which can cause us to lose confidence in the person's integrity and reliability.
- You are not permitted to undertake any private work without authorisation from the Chief Officer. You will not be allowed to undertake any work which could otherwise have been undertaken by the Council. In the event of you being approached to undertake such work you must report the approach to the Chief Officer.
- Smoking is strictly prohibited on our premises. You may only smoke during official break times only and not on site. This policy also applies to the use of E-cigarettes.
- You must notify us of any change of name, medical condition, marital status, address, telephone number etc., so that we can maintain accurate information on our records and make contact with you in an emergency, if necessary, outside normal working hours.
- If you already have any other employment or are considering any additional employment, you must notify us so that we can discuss any implications arising from the current working time legislation.
- If you are a key holder for our premises it is your responsibility to ensure that the keys are kept safe and secure at all times. They must not be copied or allowed to be used by any unauthorised person. If the keys are lost or stolen at any time you must inform a Manager immediately. Failure to comply with these requirements may result in disciplinary action being taken.
- You are not permitted to buy or sell goods on your own behalf whilst on our premises.
- You are advised not to bring items of high value to work and/or large amounts of cash.

# EMPLOYEE HANDBOOK

- Kitchen facilities are available for break times and for making drinks. You are required to keep the facilities clean and tidy.
- You should behave with civility towards fellow employees and no rudeness will be permitted towards clients. Objectionable or insulting behaviour or bad language will render you liable to disciplinary action. You should use your best endeavours to promote the interests of the Council and shall, during normal working hours, devote the whole of your time, attention and abilities to the Council and its affairs. Relationships may develop between you and our clients. It is the Council's expectation that you maintain only professional relationships with them. You are not permitted to give out your personal e-mail addresses or mobile telephone numbers to them. Such activities can cause a blurring on our judgement and can cause conflicts of interest. To avoid such conflicts, you should use your common sense to avoid any actual relationships. Any involvement in activities which could be construed as being in competition with us is not allowed.
- Because the business demands employees of the highest integrity, we have the right to expect you to maintain these standards outside of your working hours. Activities that result in adverse publicity to us, or which cause us to lose faith in your integrity, may cause grounds for dismissal.

## 24. CASH & PAYMENT HANDLING

### Introduction

The management and safekeeping of cash is of prime importance to Neston Town Council (NTC). It is essential that all NTC staff adhere to the Cash Handling and Banking Procedures in place to reduce the risk of misappropriation of funds to NTC and to protect all staff dealing with cash as part of their duties. Failure to adhere to the Procedures is a serious matter and will be dealt with in line with NTC's Disciplinary Policy.

Cash throughout this procedure document not only relates to GBP notes and coins but also to foreign currency, cheques, credit card transactions, bank drafts and postal orders.

This procedure document applies to **all** locations where cash is.

### Accountability

It is the responsibility of **all** staff handling cash or coming into contact with cash as part of their duties to understand and adhere to the Cash Handling and Banking Procedures in place. Failure to do so will result in appropriate disciplinary action being taken.

### Payment methods

Income can be received by the following means:

#### Bank Transfers/ BACS

Payments can be made directly by bank transfers. Full payee information and invoice number must be clearly included on all transfer documentation. Please be aware that transfers can take up to a week. It must be recommended that the customer keep a copy of the transfer documentation as their receipt.

Bank details will be made available to facilitate BACS payments to made direct to NTC.

#### Payment by cheque

# EMPLOYEE HANDBOOK

All cheques should be made payable to 'Neston Town Council' or the relevant subsidiary account. Please ensure the Payee's full name and payment reference is quoted. All cheques should be drawn on a UK bank account and be paid in Pounds Sterling. Cheques should be marked for the attention of the Mrs A Kunaj, Town Clerk and posted to Neston Town Council, Neston Town Hall, High Street, Neston, CH64 9TR.

## **Payments by cash**

Payments by cash are received for a variety of functions. Cash must be receipted to the customer and a copy retained for consolidation of banking. The purpose and details of transaction must be clearly written on the receipt to allow for accurate appropriation of income.

## **Invoicing**

This is a function carried out by the Support Officer of NTC. This is a paper-based function and invoices should be generated in good time and mailed to the customer, clearly showing what the charge relates to and when payment is expected.

Income from customers and users of the town hall can be received in a number of ways:

On receipt of payment in cheque, the Market Assets and Admin Co-ordinator (MAAC) shall complete a paying in slip in the paying in bank book and take the payment to the bank at the earliest opportunity, retaining the bank book to show that the payment has been received by the bank. The paying in book counterfoil should clearly show what the payment was received for, name of payee and the invoice number where appropriate.

On receipt of payment by cash, the Support Officer should provide a receipt to the customer and complete a paying in slip and bank the cash as with a cheque, at the earliest opportunity. Cash should be kept safely and securely and banked on the day of receipt.

## **Individual payments of cash for a group activity**

A register of attendees should be kept, both for our audit purposes and as a fire register, and their cash payment recorded on this register. The cash should then be counted in the office (whilst the office is locked) and the reconciled amount entered into a paying book. This money should then be banked at the earliest convenience.

## **Market Takings**

At the end of the market collections, the funds should be balanced with its float and any discrepancies registered and brought to the attention of the Chief Officer.

The cash should be reconciled and banked on the day of receipt.

## **Receipt of income**

Following receipt of cash, the cash must be securely stored prior to banking. The cash should be banked at the earliest opportunity. The process of banking and transporting cash to the bank is detailed above.

Other forms of income should be allocated and appropriated to the correct budgetary codes and relevant invoices by the RFO.

## **Accuracy**

When physically counting cash always take your time and if you are unsure count the cash again. If you are handed a large volume of mixed notes it is useful to split them into their denominations before counting to avoid confusion. Don't be distracted or intimidated by customers. If you are

# EMPLOYEE HANDBOOK

struggling or the customer is disputing the value of cash handed over then ask a colleague to double count it for you.

## **Cash**

Any unbanked cash should be kept secure and kept to a minimum.

## **Cheques**

When taking a cheque from a customer check the following before receipting:

Valid Date

Correct Payee

Amount in words and figures match

Signature – checked against guarantee card

Any amendments are to be signed by the issuer

Details of the cheque guarantee card should be written on the reverse of the cheque

## **Cash Handling**

Cash to the value of £250 can be taken to the bank in a non-descript, but secure bag by one person. Should any person be challenged and threatened for the money, the money should be handed over and no risk to the person taken.

Cash to a value over £250 to £1000 should be taken to the bank by 2 members of staff. No risk to the staff should be taken if they were to be challenged and threatened for the money.

Cash to a value over £1000 should be divided to amounts lower than £1000 and taken to the bank in tranches and at irregular intervals.

All cash should be counted in a secure location such as the office, behind locked doors and access to the counting area restricted whilst the money is on the table.

Money should be banked on the day of receipt.

Whenever practicably possible, two members of staff should be present to count the money. All errors should be reported to the Town Centre Manager and any explanations or reasons known for a discrepancy noted clearly with the cash and paperwork.

## **Markets**

Cash to be collected immediately after setting up in an ordered fashion.

Applying the pricing policy, all traders are to pay their due rental charges.

Cash is to be collected in tranches of values no greater than £250. When £250 worth of rent has been collected, then the cash handler must return to the office, bag the cash up with details of receipt number sequence and store the cash in the safe until all cash has been collected.

Cash should then be counted by two members of staff and the details of takings recorded in the paying in book.

## **Reconciliation**

After an event or market, the cash must be reconciled against floats or expected income.

Make clear and detailed notes of monies received and ensure details of note and coin denominations recorded.

## **Discrepancies**

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If there is a discrepancy between the amount in hand and the amount expected, then the monies must be checked by another team member. If the discrepancy remains, follow the following protocols:

- Under £3 value of discrepancy: - the Market & Estate Officer (MEO) to make clear notes of the reasons for the discrepancy and any findings. Check that the cash has not been misplaced (e.g. under the till drawer, on the floor).
- £3 - £10: - MEO to investigate the cause and make clear notes to accompany the reconciliation sheet, signed and dated.
- Over £10: - The MEO / MAAC must inform the Chief Officer with their findings and a full file note on actions, findings and reasoning to be attached to the reconciliation sheet.

The cash should be taken to the bank at the earliest opportunity in a non-descript bag. Cash to a value up to £250 can be taken to the bank by 1 person. Cash to a value between £250 and £1000 should be taken to the bank by two members of staff. Cash to a value over £1000 should be divided into values below £1000 and taken to the bank by two members of staff at random intervals.

## *Note:*

Taking cash to the bank should be done at varied times and to no fixed pattern.

Should a member(s) of staff be challenged and threatened for the cash, no resistance should be made, or risk taken to endanger the member(s) of staff. As much detail as possible regarding the assailant should be remembered in terms of appearance, height, age, accent, dialect, clothes, vehicles, direction of travel etc.

All cash payments must be receipted, with the exception of Town Hall attendee/participant on the door payments, when a register of attendees should be taken, where each attendee writes their details and value of cash payment given.

It is planned that direct to bank payments will be taken in the near future for market stall rents of regular traders. This will reduce the cash handling of the market operation but will require close monitoring by market staff to ensure claims by traders of payments made electronically are accurate.

The total value of cash insured to be retained in the safes is £5000 in total (not in each safe).

## **Banking preparation**

Following the reconciliation of income, income should be prepared for banking ready to be taken to the bank. Staff responsible for cash handling at each site are responsible for the banking preparation at their respective sites.

Cash and cheques must be banked with separate Bank Giro Credit (BGC) slips being completed. BGC books can be obtained from the MAAC / RFO the books allocated to each site will have unique pay in numbers, used to identify pay-ins as they are credited to the bank accounts.

## **Cash banking (GBP coins and notes are banked on the same BGC slip)**

Separate cash from the till into coin denominations and note denominations.

Coins:

# EMPLOYEE HANDBOOK

Coins are bagged into clear bank coin bags adhering to the denomination limits on the front of each bag.

Remaining coins not equalling a denomination limit should be treated as oddments and placed in one clear bank coin bag.

The breakdown of denominations should be filled in on the right-hand side of the BGC slip and the total for the banking entered in the '£ boxes' on the two left hand side counterfoils.

## *Notes:*

All notes should be face up with the largest value at the bottom (£50 on bottom, £5 on top).

Notes must be flat, not rolled or folded.

Notes must be bundled together using an elastic band.

The breakdown of denominations should be filled in on the right-hand side of the BGC slip and the total for the banking entered in the '£ boxes' on the two left hand side counterfoils.

## **Completing the banking**

On the *Paid in by* line clearly write your name.

The completed BGC should be taken (in the book) to the bank, where it is receipted, and the counterfoil date stamped by the bank.

Take the Banking Advice Form and record the BGC number, monetary value and return the Banking Advice Form to the MAAC /RFO.

## **Cheque banking**

Carry out validation checks to verify that cheques are able to be banked:

- a. Valid Date (i.e. not post-dated),
- b. Payable to NTC (or subsidiary account as appropriate),
- c. Amount in words matches the amount in figures,
- d. Signature and
- e. Any amendment to the cheque has been signed by the customer.

All cheques should be written on the BGC slip. On the *Paid in by* line clearly write your name.

The cheques should be paid in at the earliest opportunity and the counterfoil clearly marked with the source of income such as invoice number or specific activity and date.

## **7. Safes Cash Boxes & Insurances**

The only safe cash boxes in current use are the two in the Town Hall Building Complex Office, which have a combined maximum insurance value of £500. This value should not be exceeded, and no other safe cash boxes can be used for the storage of cash.

## **25. CONFIDENTIALITY**

Employees will respect the confidentiality of the Council's business both during and after his/her employment.

a) All information which: -

- i. is or has been acquired by the employee during, or in the course of his/her employment or has otherwise been acquired by him/her in confidence;
- ii. relates particularly to the business of the Council or that of the other persons or bodies with whom the Council has or has had dealings of any sort; and

# EMPLOYEE HANDBOOK

- iii. has not been made public by, or with the authority of the Council

Shall be confidential and (save in the course of the Council's business or as required by law) the employee shall not at any time whether before or after the termination of the employment disclose such information to any person without the written consent of the Chief Officer.

- b) The employee shall exercise reasonable care to keep safe all documentary or other material containing confidential information and shall at the time of termination of the employment, or at any other time upon demand, return to the Council any such material in his/her possession.

## 26. CONVICTIONS AND OFFENCES

During your employment you are required to report, any convictions and or offences with which you are charged, including traffic offences, to the Council immediately.

## 27. ANTI BRIBERY, GIFTS & HOSPITALITY POLICY

Bribery is the offering or accepting of any gift, loan, payment, reward or advantage for personal gain as encouragement to do something which is dishonest, illegal or a breach of trust.

Bribery is a criminal offence. If an employee is offered a bribe, then you should contact the Chief Officer who will take the appropriate action.

Any employee found to have taken part in an act relating to bribery will face disciplinary action.

### Guidance on receipt of gifts, benefits or hospitality

Staff are expressly prohibited from soliciting rewards in return for providing services whether those services should be provided as part of their usual role or are provided because a gift or inducement has been offered.

Staff must not accept gifts, benefits or hospitality that might be thought to influence their judgement or where to do so could bring discredit upon the Town Council.

Staff must not under any circumstances accept gifts of money.

Staff may accept gifts (apart from money) or hospitality in certain circumstances. However, staff must at all times be and be seen to be fair, impartial and unbiased. The receipt of gifts, benefits and hospitality can create conflicts of interest and may give rise to an adverse inference as to the integrity of either the donor or the staff member. At the same time the Town Council recognises that a refusal may cause embarrassment or offence.

For the purposes of this code the following will not be considered to be a gift:

- Items that are insignificant in nature (e.g. calendars, diaries, office equipment of modest value) having an estimated value below £25 and which are retained in the offices of the Town Council.
- An official gift which bears the donor's name or insignia, the presentation of which was ceremonial in nature remains the property of Neston Town Council.
- Discounts negotiated by the Town Council on behalf of its workforce and offered to all staff, such as discounted membership of local health facilities.

### Procedure for acceptance and recording

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Before accepting ANY offers of gifts, benefits or hospitality of £25 or over, staff members should seek the approval of the Chief Officer.

If approval is given, the receipt of the gift, benefit or hospitality must be registered with the Chief Officer within 14 days of receipt and the following details provided:

- the precise details of the gift, benefit or hospitality;
- the estimated value;
- the date the gift/benefit was made or the date the hospitality was offered and received;
- details of the person making the gift/benefit or providing the hospitality;
- details of the recipient of the gift, benefit or hospitality;
- The reason for acceptance.

## 28. LONE WORKING

### Purpose

The purpose of this policy is to set out specific requirements that apply to the health and safety of an employee who is working alone. A lone worker is defined as anyone who works in isolation from their colleagues and without close/direct supervision. This includes mobile workers when working away from their usual base.

Lone working should always be avoided wherever possible. However, where it can't be avoided the Council will take steps to ensure that the employee's health and safety is protected so far as possible.

### Duties of the Council

In accordance with the Health and Safety at Work Act 1974, the Council has a duty of care to the employee. When an employee is working alone the Council will:

- Carry out a risk assessment of the work before the employee starts work, before the employee starts any lone working activities. If any risks are identified consideration will be given to adjustments that can be made to reduce or eliminate any risks. The employee should take part in carrying out the risk assessment and should be made aware of the contents of the risk assessment and of any specific action that needs to be taken as a result of the assessment.
- Ensure that risk assessments are reviewed regularly, and at least once per year.
- Arrange back-up or change the work if the risk assessment indicates that it is not safe for an employee to be working alone.
- Ensure that the employee is provided with safe and adequate equipment. The Council will ensure that the employee is fully trained in the use of all relevant equipment.
- Ensure that the employee is provided with any personal protective equipment that is required.
- Ensure that the premises are safe (and ensure that the employee is made aware of any potential hazards, as identified in the risk assessment).
- Ensure that the employee is aware of the procedures and processes to follow in carrying out the work, including communication and emergency arrangements.
- Ensure that the employee is aware of any legal restrictions relating to the work being undertaken (e.g. laws relating to the control of hazardous materials).

### Duties of the employee



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In accordance with the Health and Safety at Work Act 1974, the employee has a duty to take care of his or her own health and safety. When working alone it is essential that the employee:

- Obeys all instructions of the employer that have been given before the work starts.
- Takes note of any risks that have been identified in the risk assessment and carries out any actions that have been agreed with the employer in relation to any hazards.
- Wears any protective personal equipment that has been issued.
- Uses all equipment and tools in accordance with their purpose, and in the way that the employee has been trained to use them.
- Notifies the employer immediately of any issues relating to health and safety that occur.

## Communication

Maintaining communication with any employee who is working alone is of paramount importance. Whenever possible an employee working alone should have a mobile phone. If this is not possible, due to hazards or poor reception, the employee should make sure that he or she is aware of the nearest landline telephone or other means of communication.

Specific arrangements must be put in place to ensure that the lone worker is monitored on a regular basis (e.g. pre-arranged 'check in's') and that procedures are in place should an issue arise (e.g. a 'check in' is missed).

If the employee is not fluent in English, the Council is responsible for ensuring that adequate communication systems are in place.

## Supervision

The Council shall ensure that any lone employee has a named person as a supervisor. The employee should contact the supervisor regularly to discuss any issues that arise and to confirm that they are safe.

## Accidents

If the employee is involved in an accident, or a member of the public/customer/supplier/other individual is injured whilst on the employee's premises, the employee should contact the employer as soon as possible.

If the injury requires medical attention, this should be sought before informing the employer of the situation. The Council shall make a first aid kit available to the employee and all accidents must be recorded in accordance with the agreed procedures

## Emergencies

The Council and employee shall agree a procedure to be followed in the case of an emergency. This will include consideration of issues such as communication, exit from the building and the containment of any situation so that other people are not affected.

## Procedures

Procedures to give effect to this policy shall be devised by the Chief Officer in consultation with affected employees.

The Council and its employees will adhere to these procedures.

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## 29. MOBILE TELEPHONES / COUNCIL MOBILE TELEPHONES

### Background

Staff periodically receive messages from Council members requesting that they text message them. It is unacceptable for staff to be expected to use their own personal mobile numbers for this purpose. Our Market and Estate officer uses the sim provided to him by Council in his private hand set. Resources have approved for the purchase of new mobile handsets. The Policy below is suggested.

### Policy

#### Use of Council Mobile Phones

- If the Town Council provides you with a mobile phone to assist communications between staff, councillors and other business-related contacts, it is solely for use for work related matters and is not – other than in an emergency – to be used to make or receive personal calls or text messages.
- For this reason, no personal data should be stored in the handset or SIM card, other than an emergency contact.
- Similarly, your work mobile number should be given only to work-related contacts, not personal ones (other than an emergency contact).
- Unless you are required to be available outside normal hours (e.g. for market related queries) there is no obligation on you to make or respond to calls/texts outside your normal working time for the Council.
- You must not use a handheld mobile phone to make or receive calls while you are driving. This includes points at which you are temporarily stationary. If caught by the police, you may be liable to a fixed penalty and potentially points on your licence. If the Town Council becomes aware that you have been using a phone whilst driving – whether or not you have been caught by the police – you may be subject to disciplinary action (including, in serious cases, your dismissal)
- If you have a hands-free/Bluetooth kit fitted to your vehicle, it is your decision as to whether you answer or make calls. The Council does not expect, you to do so and you must judge whether the conditions are safe enough to use your hands-free equipment. If in doubt, do not use.
- If it appears that the use of your phone is excessive or there appear to non-work calls, we may investigate matters. If it appears that there has been wilful misuse of the phone, then we may consider disciplinary action.
- All council mobile phones will be pass number protected. The Chief Officer will supply the pass number, with any amendments agreed.
- At the end of your employment, the phone must be returned in good condition.

## 30. HARASSMENT AND WORKPLACE BULLYING

The Employer believes that all of its employees have the right to a working environment free from intimidating and insulting behaviour and recognises its legal obligation to provide such an environment. The Employer is committed to the development and promotion of a positive workplace culture that is free from harassment and bullying and aims to ensure that any allegation

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of harassment or bullying at work is taken seriously, is properly investigated, and is dealt with effectively.

## Harassment

The definition of harassment is '*unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment*'. Forms of harassment include many kinds of unacceptable behaviour. For example; action, behaviour, comment or physical contact which is found objectionable or which causes offence, including: offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature, or offensive remarks about a person's physical characteristics, age, sexual orientation, or any other personal characteristic.

## Bullying

Bullying is the intimidation or belittling of someone through the misuse of power or position, which leaves the recipient feeling hurt, upset, vulnerable or helpless. Examples include:

- Unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of another.
- Spreading malicious rumours or making malicious allegations.
- Ignoring or excluding an individual from the team/group.

## Sexual Harassment

The Employer believes that all employees are entitled to be treated with dignity and respect while at work and when representing the business in any capacity outside of work.

Sexual harassment is unwanted conduct directed towards an employee by a fellow employee (or group of employees) which is of a sexual nature, or which is based on a person's sex, and which is regarded as unwelcome and offensive by the recipient. This could include:

- Unwanted physical contact.
- Unwelcome sexual advances, propositions, suggestions or pressure to participate in social activity outside work, where it has been made clear that this is not welcome.
- Conduct which can be deemed as intimidation, physically or verbally abusive, including the display of explicit material, the use of sexually explicit humour, and comments of a sexual nature whether directed specifically at any particular individual or not.
- Suggestions that sexual favours may further an employee's career, or that refusal may hinder it.

The Employer regards sexual harassment as a form of intimidation which has the effect of insulting and demeaning the employee to whom it is directed. It is therefore unacceptable in the working environment and the Employer will take positive action to prevent its occurrence.

## Responsibility of Employees

All employees have a personal responsibility not to harass, sexually harass or bully other members of staff, or to condone harassment or bullying by others. Harassment including sexual harassment and

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bullying is serious misconduct and action may be taken under the disciplinary procedure against an employee found to have harassed or bullied an individual at work. Employees should also be aware that they could be personally liable by law if they harass anyone at work. All employees have a duty to assist in the creation of a safe working environment, where unacceptable behaviour is not tolerated. Any employee who becomes aware of harassment or bullying occurring should bring the matter to the attention of his/her manager.

## **Procedure**

Where possible and appropriate, harassment and bullying complaints of any nature should be dealt with by using an informal approach, at least in the first instance. Informal action provides the opportunity to resolve allegations of harassment through informal discussion and mediation. Some people may not be aware that their behaviour in some circumstances is being perceived as bullying, harassment or sexual harassment. Using an informal approach gives the alleged harasser the opportunity to stop if directly approached by an employee, manager or through a mediation process. However, should the informal approach fail to stop the harassment or bullying, or if an employee agrees with their manager that the situation is so serious as to warrant formal action, the formal approach should be taken. This involves the complainant making a written complaint.

## **31. DISCIPLINARY PROCEDURE**

### **AIMS AND OBJECTIVES**

The Employer aims to ensure that there will be a fair, consistent and systematic approach to the enforcement of standards of conduct and performance for all its employees. With this aim, the Employer has devised procedures for dealing with these conduct and performance issues which incorporate the recommendations given in the Advisory Conciliation and Arbitration Service (ACAS) Code of Practice. There is also an appeals procedure which may be invoked by employees who disagree with actions taken under the disciplinary procedure.

### **RIGHTS TO BE ACCOMPANIED**

You have the right to be accompanied at formal disciplinary hearings. You may nominate a single companion who is either:

- A colleague from the work place; or,
- A full-time official employed by a trade union, suitably certified by the union as having experience or training in accompanying employees at formal hearings of this nature.

You may choose an official from any trade union whether or not the union is recognised by the Employer.

Nominated colleagues or trade union officials are free to choose whether to accede to your request and no pressure should be brought to bear on an individual to do so.

We will provide reasonable paid time off for the nominated companion to attend hearings, consult with you and to become familiar with the details of your case.

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The role of the companion is to support you at the hearing. Your companion has a statutory right to ask questions and to participate but not to answer questions on your behalf. Reasonable time will be allowed for you and your companion to confer privately during the course of the hearing.

## DISCIPLINARY PROCEDURE

You are expected to maintain standards of conduct and performance appropriate to your job and in accordance with any general rules and work standards communicated to you during your employment.

## OBJECTIVES

The disciplinary procedure adopted by the Employer, has the following objectives:

- To ensure that all disciplinary issues are dealt with in a consistent and fair manner;
- To ensure that disciplinary action is only taken after a full investigation of all the facts;
- To ensure that you have appropriate written notice of the times of disciplinary hearings and the charges against you;
- To ensure that at every stage of disciplinary action, you have the opportunity to state your case;
- To ensure that you have the right to be accompanied to the disciplinary hearing;
- To ensure that you receive appropriate written confirmation of any disciplinary action taken against you; and,
- To ensure that you are given the right of appeal.

## PRE-DISCIPLINARY COUNSELLING AND SHORT SERVICE DISMISSAL

If your conduct or performance falls below the standards expected, we will discuss this with you in order to identify the cause of the problem and encourage you to improve.

Whilst the overall aim of these counselling discussions is to avoid the need to take formal disciplinary action, you should be aware that failure to make the agreed improvements in behaviour will result in the matter being pursued on a formal basis under the disciplinary procedure.

We do however, reserve the right in respect of disciplinary and capability issues, to take into account your length of service and vary the procedures accordingly. If you have a short amount of service, you may not be in any receipt of any formal warnings before dismissal, but you will retain the right to a hearing and you will have the right of appeal.

## FORMAL DISCIPLINARY ACTION

The overall objective of the procedure is to help and encourage you to correct behaviour and return to observing the proper standards of conduct and performance. There are three stages to the disciplinary procedure and action may be started at any stage of the procedure, including final written warning, depending on the seriousness of the alleged misconduct. You should be aware that where your conduct or behaviour constitutes gross misconduct (see definition given later in this section), you may be liable to summary dismissal (without notice).

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## Stage 1 – Verbal Warning

You will be asked to attend a meeting with Chief Officer. This meeting will be called only after a thorough investigation of all the facts.

You will be given prior written confirmation of the meeting and you will be able to nominate a companion to attend the meeting with you as outlined above. The letter you will receive will state clearly the nature of the alleged misconduct to be discussed. A suitable date and time for the meeting will be agreed with you so as to enable all parties to attend and to prepare in advance. You will be given a copy of this disciplinary procedure as part of your preparation.

During the meeting, the grounds on which disciplinary action is being considered will be stated, and you will be presented with any available evidence. You will be given the opportunity to answer any allegations made and to put forward any explanation and/or mitigating circumstances.

In the absence of a satisfactory explanation for the misconduct, you will be given a formal verbal warning under Stage 1 of the disciplinary procedure. You will be told of your rights to appeal and the procedure for appealing against the warning.

The verbal warning will be recorded and retained on your personal file for a period of 6 months from the date of the warning after which time the warning will be removed from your file.

## Stage 2 – First Written Warning

If your conduct does not improve within the time allowed, or if the first offence is sufficiently serious to merit it, a written warning may be considered. You will be asked to attend another meeting with the Chief Officer. This meeting will be called only after a thorough investigation of all the facts. You will be given prior written notification of the meeting including a clear statement of the allegations against you. As before, you will be able to nominate a companion to attend the meeting with you. A suitable date and time for the meeting will be agreed with you so as to enable all parties to attend and to prepare in advance. You will be given a copy of this disciplinary procedure as part of your preparation. During the meeting, the grounds on which disciplinary action is being considered will be stated, and you will be presented with any available evidence. You will be given the opportunity to answer any allegations made and put forward any explanation and/or mitigating circumstances.

If there is no satisfactory explanation for the misconduct, you will be given a written warning. This warning will state clearly:

- The standards of conduct required from you;
- The time to be allowed for improvement before further action may be considered;
- Any help, or support, where appropriate to help you achieve the improvement required;
- The consequences of failure to improve, i.e. final written warning
- Your right of appeal and the procedure available for appeal against the disciplinary decision;

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This written warning will be retained on your personal file for 9 months from the date of the warning after which time the warning will be removed from your file.

## Stage 3 – Final Written Warning

If your conduct does not improve within the time allowed, or if the first offence is sufficiently serious to merit it, you may be issued with a final written warning.

The process followed will be exactly as described at stage 2. Failure to provide a satisfactory explanation for the misconduct will result in a final written warning. This warning will state clearly:

- The standards of conduct required;
- The time to be allowed for improvement before further action may be considered;
- Any help or support, where appropriate, to help you achieve the improvement required;
- The consequences of failure to improve (dismissal); and,
- Your right of appeal and the procedure available for appeal against the disciplinary decision.

This final warning will be retained on your file for 12 months after which time the warning will be removed from your file.

## Stage 4 – Dismissal

If your conduct does not improve within the time allowed, or if the first offence is sufficiently serious to merit it, dismissal may be considered. The process followed will be as described for Stage 2 and 3 of the procedure. However, in the absence of a satisfactory explanation for the misconduct, you will be dismissed. You will receive an appropriate notice or payment in lieu of working your notice. You will remain an employee of the Council, until the end of the notice period.

Within ten days of the disciplinary meeting, you will receive confirmation in writing of the reasons for your dismissal from the Employer. The letter will also contain confirmation of your right of appeal and the procedure for appealing against the decision.

## Demotion

As an alternative to dismissal, the Employer may deem it appropriate to sanction a demotion.

## DEFINITION OF MISCONDUCT

The following list, which is by no means exhaustive, indicates the circumstances in which you could be liable to disciplinary action under this procedure on the grounds of misconduct:

- Failure to comply with working instructions given by an authorised person;
- Failure to comply with the Employer's confidentiality procedures;
- Failure to comply with attendance requirements and procedures, i.e. working hours, holidays, sickness, other unauthorised or unreasonable absences from work;

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- Improper care of the Employer's property or unauthorised removal of such property from the Council's premises.
- Improper use of office facilities, such as telephones, fax machines and computers;
- Failure to comply with the Employer's e-mail and internet policy;
- Failure to observe any of the Employer's general rules and policies;
- Failure to comply with Health and Safety Rules and/or instructions for Health and Safety protection;
- Discourtesy to a client or colleague;
- Failure to comply with dress requirements;
- Failure to meet required standards of work where this is not due to capability; and,
- Negligence in the performance of duties.

The above is not an exhaustive list.

## GROSS MISCONDUCT

In circumstances of gross misconduct, we will normally take immediate action at Stage 4 of the disciplinary procedure – dismissal. In most cases of gross misconduct, you will be suspended on full pay whilst a full investigation of the facts is carried out. In these circumstances, you will be informed in writing of your suspension.

Gross misconduct and summary dismissal will only be considered where there are reasons to believe that you have committed misconduct of such a serious nature that it constitutes a fundamental breach of your employment contract. The following list, although not exhaustive, gives examples of offences which could be construed as gross misconduct:

- Aggressive acts and/or physical violence;
- Indecent behaviour.
- Theft from the Employer, its employees or from customers or suppliers; or fraud
- Actions which bring the Council into disrepute or causes us to lose faith in your integrity;
- Falsification and/or deliberate tampering of Council records;
- Acts of incitement or actual acts of discrimination or harassment on the grounds of sex, race, religion, colour, ethnic origin or disability;
- Serious failure to observe the Employer's confidentiality standards;
- Possession or under the influence of illegal drugs at work;
- Non-compliance with Health and Safety requirements resulting in serious endangerment of the health and safety of yourself and others;
- Wilful and serious damage to Council property; and,
- Any other reason giving rise to a right for summary dismissal, whether at common law or by statute.

## APPEAL PROCEDURE



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You are entitled to appeal against a decision taken at any stage of the disciplinary procedure. You are encouraged to make use of the appeal procedure should you feel that you have been unfairly treated in such circumstances. Using the appeal procedure will not prejudice your employment prospects in any way. You have the right to nominate a companion to accompany you at the appeal hearing as outlined in Appeal Section of these procedures.

## PROCEDURE FOR LODGING AN APPEAL

The appeal should be made within five working days of either the following:

- Receipt of the written communication of a decision made under the disciplinary procedure; or,
- A verbal warning at stage one of the disciplinary procedures.

You should make the appeal in writing giving full supporting reasons. The appeal should be addressed to the person named in your individual statement of main terms of employment. An appeal hearing will be held to which you will be invited to attend. The date and time of the appeal hearing will be arranged with you in advance so that there is sufficient time to prepare yourself and your companion where relevant. Where necessary, the appeal hearing may be adjourned to gather further information or carry out an investigation of the facts. The hearing will reconvene once the investigations are complete. A decision will be communicated in writing to you within five working days of the appeal hearing reaching its conclusion. The warning of dismissal or notification of capability procedure will stand unaltered pending the outcome of the appeal hearing. The Employer reserves the right to instruct an independent third party, if the need occurs. A written record of the appeal hearing will be made in order to prevent any misreporting or misunderstanding. You will be given a copy of the written record and asked to agree to the content.

## 32. CAPABILITY PROCEDURE

The primary aim of this procedure is to provide a framework within which the Employer can work with employees to maintain satisfactory performance standards and to encourage improved performance where necessary. The Employer recognises the difference between a deliberate or careless failure on the part of an employee to perform to the standards of which they are capable (in which case the Employer will use the disciplinary procedure) and a case of incapability, where the employee is lacking in knowledge, skill or ability and so cannot perform to the standard required (in which case the Employer will use this capability procedure in an attempt to improve the employee's performance).

The Employer also recognises that during an employee's employment, capability to carry out their duties may deteriorate. This can be for a number of reasons; the most common ones being that either the job changes over a period of time and the employee fails to keep pace with the changes or the employee changes and can no longer cope with the work. This capability procedure is **entirely non-contractual** and does not form part of an employee's contract of employment.

Minor capability issues will be dealt with informally through counselling and training. Informal discussions may be held with a view to clarifying the required work standards and the level of

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performance expected of the employee, identifying areas of concern, establishing the likely causes of poor performance, identifying any training or supervision needs, setting targets for improvement and agreeing a time-scale for review. However, in cases where informal discussion with the employee does not lead to a satisfactory improvement in performance, or where the performance issues are more serious, the following capability procedure will be used. At all stages of the procedure, an investigation will be carried out.

At all stages the Employer will give consideration to whether the unsatisfactory performance is related to a disability and, if so, whether there are any reasonable adjustments that could be made to the requirements of the employee's job or other aspects of the working arrangements.

The Employer will notify the employee in writing of the concerns over performance and will invite the employee to a performance review meeting to discuss the matter. The Employer will provide sufficient information about the poor performance and its possible consequences to enable the employee to prepare to answer the case. This will include the provision of copies of written evidence where appropriate.

Having given the employee reasonable time to prepare their case, a formal capability meeting will then take place, conducted by a manager, at which the employee will be given the chance to state their case, accompanied if requested by a trade union official or a fellow employee of their choice. The employee must make every effort to attend the meeting.

The purposes of the performance review meeting include: to set out the required standards that the Employer considers the employee has not met, to establish the likely causes of poor performance (including any reasons why any measures taken so far have not led to the required improvement) and to allow the employee the opportunity to explain the poor performance and to ask any relevant questions. Except in the case where dismissal is proposed, the purposes of the performance review meeting also include: to discuss measures, such as additional training or supervision, which may improve the employee's performance, to set targets for improvement and to set a reasonable timescale for review (reflecting the circumstances of the case). In a case where dismissal is proposed, the purposes of the performance review meeting also include: to establish whether there are any further steps that could reasonably be taken to rectify the employee's poor performance, to establish whether there is any reasonable likelihood of the required standards of performance being met within a reasonable time and to discuss whether there is any practical alternative to dismissal, such as redeployment to any suitable available job at the same or lower grade.

Following the performance review meeting, the Employer will decide whether or not formal performance action is justified and, if so, the employee will be informed in writing of the Employer's decision in accordance with the stages set out below and notified of their right to appeal against that decision.

## **Stage 1: Performance warning**

The employee will be given a formal PERFORMANCE WARNING. This will set out the areas in which the employee has not met the required performance standards, targets for improvement, any measures, such as additional training or supervision, which will be taken with a view to improving

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the employee's performance, a timescale for review and the likely consequences of failing to improve to the required standards within the review period. The performance warning will be recorded but nullified after six months, subject to satisfactory performance.

The employee's performance will be monitored, and, at the end of the review period, the Employer will write to the employee to advise him or her of the next step. If the Employer is satisfied with the employee's performance, no further action will be taken. If the Employer is not satisfied with the employee's performance, the matter may be progressed to Stage 2 or, if the Employer feels that there has been a substantial but insufficient improvement, the review period may be extended.

## **Stage 2: Final performance warning**

Failure to improve performance in response to the procedure so far, or a first instance of serious poor performance, will result in a FINAL PERFORMANCE WARNING being issued. This will set out the areas in which the employee has still not met the required performance standards, targets for improvement, any further measures, such as additional training or supervision, which will be taken with a view to improving the employee's performance, a further timescale for review and the likely consequences of failing to improve to the required standards within the further review period, i.e. that dismissal will probably result. The final performance warning will be recorded but nullified after twelve months, subject to satisfactory performance.

The employee's performance will again be monitored, and, at the end of the further review period, the Employer will write to the employee to advise them of the next step. If the Employer is satisfied with the employee's performance, no further action will be taken. If the Employer is not satisfied with the employee's performance, the matter may be progressed to Stage 3 or, if the Employer feels that there has been a substantial but insufficient improvement, the review period may be extended.

## **Stage 3: Dismissal**

Failure to improve performance in response to the procedure so far will normally lead to DISMISSAL, with appropriate notice. The Employer may first consider redeploying the employee with their agreement to another available job at the same or lower grade which is more suited to their abilities. A dismissal decision will only be made after the fullest possible investigation. Dismissal can be authorised only by a senior manager or a Director. The employee will be informed of the reasons for dismissal, the appropriate period of notice, the date on which their employment will terminate and how the employee can appeal against the dismissal decision.

## **Appeals**

An employee may appeal against any decision under this capability procedure, including dismissal, to the person named in your individual statement of main terms of employment.

Appeals should be made in writing and state the grounds for appeal. The employee will be invited to attend an appeal meeting.

At the appeal meeting, the employee will again be given the chance to state their case and will have the right to be accompanied by a trade union official or a fellow employee of their choice.

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Following the meeting, the employee will be informed in writing of the appeal decision.

The Employer's decision on an appeal will be final.

## 33. GRIEVANCE PROCEDURE

### OBJECTIVES

In the great majority of cases, complaints are best dealt with satisfactorily through informal discussions between you and the Chief Officer and it is in your interests to talk to the Chief Officer about any aspects of work or your working relationship that concerns you. However, where issues cannot be resolved in this way, the Employer has a formal procedure for grievances or complaints. The aim of the grievance procedure is to ensure that such issues are dealt with fairly and speedily before they develop into major problems or disputes. The procedure is designed to maintain good relations within the Council and you are encouraged to make use of it should any problem arise that you are unable to resolve satisfactorily with the Chief Officer.

### RIGHT TO BE ACCOMPANIED

You have the right to be accompanied at all meetings held as part of the Employer's formal grievance procedure. You may nominate a single companion who is either:

- A colleague from within the workplace; or
- A full-time official employed by a trade or a lay trade union official suitably certified by the union as having experience or training in accompanying employees at formal hearings of this nature.

You may choose an official from any trade union whether or not the union is recognised by the Employer.

Nominated colleagues or trade union officials are free to choose whether to accede to your request to act as a companion and no pressure should be brought to bear on an individual to do so.

We will provide reasonable paid time off for the nominated companion to attend hearings, consult with you and to become familiar with the details of your case.

The role of the companion is to support you at the hearing. Your companion has a statutory right to ask questions and to participate but not to answer questions on your behalf. Reasonable time will be allowed for you and your companion to confer privately during the course of the hearing.

### USING THE GRIEVANCE PROCEDURE

Using the grievance procedure will not prejudice your future employment prospects in any way. Records or written evidence of matters raised under the procedure will not be retained on your personal file after the problem has been resolved.

There is a separate procedure for appeals against action taken under the disciplinary procedure.

There are three stages to the formal grievance procedure and these are as follows:

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## **First stage – raising the grievance**

Where the grievance or complaint cannot be resolved informally, you should put your grievance in writing, to the Chief Officer. Where the complaint involves your line manager, the issue should be raised with Chair of Policy Committee.

## **Second stage – hearing**

Once the Chief Officer has had time to consider your complaint, you will be invited to attend a hearing in order to discuss it. You will be told of your statutory right to be accompanied as outlined in this procedure. You are obliged to make every effort to attend the hearing. Everything reasonably possible will be done to solve the problem fairly at this stage through open and honest discussion at the hearing.

The Chief Officer will respond to your grievance within five working days of the hearing taking place. If it is not possible to respond within this time, you will be given a written explanation for the delay and told when a response can be expected.

## **Third stage – the appeal**

If the situation is not resolved to your satisfaction at stage two, you may appeal against the decision. You should raise the matter in writing with the person named in your individual statement of main terms of employment.

They will arrange to hear your appeal, whenever possible, within five working days and you will be reminded of your statutory right to be accompanied at the appeal hearing.

Following the appeal hearing, you will be advised of the final decision in writing within ten working days of the hearing. If it is not possible to respond within this time, the employee should be given a written explanation for the delay and told when a response can be expected.

The grievance procedure is exhausted at the end of this stage.

## **34. RECORDS**

Records will be kept by the Employer detailing the nature of the grievances raised and the Employer's response including any action taken and the reasons. All such records will be strictly confidential. If you have raised a grievance, due process as detailed above will be followed and you will be provided with information specific to investigation in the grievance outcome letter.