



**Lytchett Minster and Upton Town
Council
Staff Handbook**

Sept 2022

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Introduction

1. Overview

As an employee of Lytchett Minster and Upton Town Council you are vital to the success of our work in the community. Your enthusiasm, helpfulness, commitment and performance, whatever position you hold, is essential to uphold the Council's image and professional reputation.

2. Scope

This Handbook and the policies contained within it apply to all employees of Lytchett Minster and Upton Town Council. The Handbook covers important aspects of employment and we ask that all employees read it carefully in conjunction with the Written Statement of Particulars with which they have been issued. Once read, employees are asked to sign the "Staff Handbook Statement For Signature," this is to confirm that they have read and understood the Handbook's content.

The handbook will be shared with all new employees as part of their induction, and all employees are responsible for ensuring they are aware of and follow the policies contained within it.

If an employee has any concerns about the handbook or does not understand any element of it, they should discuss this with their line manager or the Town Clerk.

3. Review

This Handbook will be reviewed and amended as necessary in line with good practice and in response to legislative changes, decisions of the Council or other relevant developments.

Changes will be subject to consultation where appropriate with employees and any recognised Trade Union.

When a change has been made this will be communicated to all employees, and electronic and hard copies will be updated accordingly.



About The Council

Lytchett Minster and Upton Town Council is the parish authority for the town of Upton and the village of Lytchett Minster and associated outlying hamlets. With a population of 8,500 (approx.) it is the second largest parish in the local area.

The Town Council has fifteen Town Councillors, elected for a term of five years. The Council also elects the Mayor, who acts as Chairman, and a Deputy Mayor.

The Town Council **works in** partnership with Dorset Council, whose main responsibilities include local planning and development control, environmental health, refuse collection, recycling and street cleaning, economic development, licensing and the collection of Council Tax.

The Town Council operates by having regularly scheduled monthly meetings.

The Council also has a number of committees one of which deals with Personnel matters (Finance and Administration) and meets at least quarterly as per the published calendar of meetings.

Lytchett Minster and Upton Town Council, which has the status of a parish Council, has a far wider range of activities and responsibilities than is usual. These include:

- Allotments
- Cemetery
- Public Open Spaces
- Children's Play Areas
- Recreation Ground, including football pitches
- Skatepark
- Public Help Centre

A large amount of information about the Town Council, its meetings, activities and policies can be found on its website, www.lytchettminsterandupton-tc.gov.uk.



Health and Safety Policy
LMUTC/SH/Pol01/VSEPT22

**LYTCHETT MINSTER AND UPTON TOWN COUNCIL:
HEALTH AND SAFETY POLICY**
Adopted and approved at a Meeting of
Town Council
May 2022

GENERAL STATEMENT OF POLICY

This is the Health and Safety Policy of Lytchett Minster and Upton Town Council.

Lytchett Minster and Upton Town Council recognises and accepts its responsibility for providing a safe and healthy environment for its members; staff; volunteers, visitors; and for anyone affected by its activities.

The Council maintains this policy for the management of health and safety as its top priority and will do all that is reasonably practicable to ensure effective organisation and planning are established and maintained. The Council will ensure that appropriate and effective audit and review mechanisms are used to inform the work of the Council, which undertakes to commit appropriate resources to manage health and safety.

Our statement of general policy is:

- To provide adequate control of the health and safety risks arising from our activities;
- To consult with staff on matters affecting their health and safety;
- To provide and maintain safe equipment;
- To provide sufficient information, inspection, and supervision of staff, volunteers and visitors as far as is reasonably practicable;
- To ensure all staff and volunteers are competent in their Council-related activities; and to provide adequate training as far as is reasonably practicable;
- To maintain safe and healthy conditions for conducting the Council's business and the public facilities it provides; and
- To review and revise this Policy as necessary at regular intervals, but at least annually.

Approved by the Council on: May 2022

Health and Safety

2. RESPONSIBILITIES

2.1 Overall and final responsibility for health and safety in the Council and for compliance with the Health and Safety at Work etc. Act and Regulations made under the Act and the Occupiers Liability Act is that of the Town Council of Lytchett Minster and Upton. The Clerk is responsible for this policy being carried out at all the Council's Premises and all areas listed below. In the event of absence of the Town Clerk, responsibilities throughout this document

2.2 The following person is responsible for safety in particular areas:

Town Council Offices 1 Moorland Parade Moorland Way, Upton	Town Clerk
--	------------

Pavilion, Sea View Road, Upton	Town Clerk
-----------------------------------	------------

Storage Container	Town Clerk
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The Grove, Sea View Road Upton	Town Clerk
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Cemetery Blandford Road North	Town Clerk
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Recreation Ground, Sea View Road, Upton	Town Clerk
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Overflow Car Park, Sea View Road	Town Clerk
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Car Park, Sea View Road	Town Clerk
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Allotment, Slough Lane Upton	Town Clerk
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Redwood Road Play Area, Redwood Road, Upton	Town Clerk
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Warbler Close Skatepark/ Play Area, Warbler Close, Upton	Town Clerk
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Hibbs Close	Town Clerk
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St Martins Park	Town Clerk
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Meadow Garden	Town Clerk
Lytchett Bay View	Town Clerk
Jubilee Gardens	Town Clerk
Land Parcels French's Farm	Town Clerk
Clocktower Site	Town Clerk
Cedar Tree	Town Clerk
Plots (4), Frampton Terrace	Town Clerk
Poole Road Wall	Town Clerk
Open Spaces at Dacombe	Town Clerk
Open Space Hickory /Doussie Close	Town Clerk
Open Space Cherry Hill Grove	Town Clerk
Land at Factory Road	Town Clerk

- 2.3 All employees/councillors/contractors/volunteers have the responsibility to co-operate with the Town Clerk to achieve a healthy and safe workplace and to take reasonable care of themselves and others. All contractors must provide evidence of their public liability insurance. Volunteers are asked to sign up to our Volunteer Code of Conduct.
- 2.4 Whenever an employee, councillor, supervisor or manager notices a health or safety problem which they are not able to put right, they must tell the appropriate person named above.
- 2.5 Consultation between management and employees is provided by immediate day to day discussion with the Town Clerk.
- 2.6 The Accident Record Book is kept in the kitchen, Town Council Office, 1 Moorland Parade.
- 2.7 The Accident Record Book is kept in the kitchen, The Grove, Sea View Road, and the Groundsman Room, Sports Pavilion, Sea View Road.
- 2.8 A personnel log in sheet has been provided by the Town Council for the tenants occupying 1A and 1B Moorland Parade. This is situated on a shelf inside the front door and is intended to document which personnel is in occupation in the event of a fire.

3. FIRST AID

3.1 First Aid boxes are located as follows:

Box 1: The kitchen at the Council Offices, 1 Moorland Parade.

Box 2: The Pavilion, Sea View Road, Upton.

Box 3: The Grove, Sea View Road, Upton

Box 4: Council Vehicles

Box 5: Allotment Compound

3.2 Appointed persons responsible for boxes are:

Box 1: The Town Clerk (when absent Deputy Town Clerk).

Box 2: The Outside Operations Manager (when absent Groundsman).

Box 3: The Town Clerk (when absent Deputy Town Clerk)

Box 4: The Outside Operations Manager (when absent Groundsman).

Box 5: Outside Operations Manager (when absent Assistant Groundsman).

3.3 Defibrillators are located at the St Peters Finger public house in Dorchester Road, Lytchett Minster and on the external wall of the Town Council Offices. They are both in the ownership of the Town Council and are checked monthly by a staff member or councillor and the relevant websites updated.

4. FIRE SAFETY/GENERAL SAFETY

4.1 Fire extinguishers shall be visually inspected monthly in the Town Council offices by the Deputy Town Clerk. Fire extinguishers shall be visually inspected monthly in The Grove by the Town Council Outside Operations Manager. Fire extinguishers shall be maintained annually (currently by Dorset Fire Protection, Midland Road, Winton, Bournemouth, BH9 1PA) and a certificate of inspection obtained.

4.2 The fire alarm system at the Council Offices shall be tested weekly prior to an evening meeting by a trained council representative. A fire drill shall be held annually at the Council Offices and all other premises. Annual electrical certificates shall be obtained on all Council occupied premises, and held as records at the Town Council offices. A fire alarm system has been installed and covers all the floors of 1 Moorland Parade. It is checked weekly and the checks are recorded.

4.3 Fire exits shall be kept free from obstructions.

4.4 Notices shall be displayed giving directions for the evacuation of buildings in the event of fire.

- 4.5 Fire risk assessments will be undertaken for:
- Town Council Offices
 - Sports Pavilion
 - The Grove
 - Allotment Compound
- 4.6 The Town Council has a Fire Warden. Each building location has a Fire Marshall. Each organisation or hirer occupying Town Council premises must appoint their own Fire/Health and Safety Representative.
- 4.7 All Town Council premises fitted with a carbon monoxide detector which are tested regularly.

5. **TRAINING**

- 5.1 The Town Clerk has overall responsibility for training.

6. **SPECIFIC POLICIES**

- 6.1 Policies for particular premises and activities are completed

1. Offices/The Grove.
2. Grounds Maintenance.
3. Caretaking and Cleaning.
4. Lifting and Handling.
5. Covid-19
6. Home working policy

7. **EMPLOYMENT OF CONTRACTORS**

- 7.1 A copy of the Health and Safety policy will be made available to all contractors.

8. **REPORTING AND RECORDING ACCIDENTS/INCIDENTS**

- 8.1 Accidents shall be reported to the Town Clerk and Outside Operations Manager who will record them in the Accidents Record Book.
- 8.2 An incident book is held in the Town Council offices and all incidents shall be reported to the Town Council Office and written into the incident log. Staff shall have copies of an incident reporting form, which they should complete in the event of an incident. An incident is defined as an event which is non-routine and has the possibility of reputational/financial/asset damage to the Town Council property or its employees/volunteers.

9. **SMOKING**

- 9.1 Smoking is not allowed in offices or any other Town Council owned premises (compounds, containers, changing rooms, stores, vehicles).

OFFICES/THE GROVE Annexe 1

1. **HEATING, LIGHTING AND VENTILATION**

- a) Temperature must reach a minimum of 16 °C (60.8 °F) after the first hour of working time and be maintained between 16 °C (60.8 °F) and 20 °C (68 °F) throughout the working day.
- b) Free standing heaters must not be used unless specifically authorised. When these are so authorised, they must comply fully with Fire Regulations and the area around them must be kept clear of any paper or other flammable materials, and be sited away from desks and chairs.
- c) Office lighting. Desks should be placed to gain the maximum amount of light. Free-standing desk lights should be avoided or placed so as to minimise the danger of trailing electrical leads.

1. **ELECTRICAL EQUIPMENT**

- a) All electrical equipment shall be inspected in accordance with the 1989 Regulations (18th Edition).
- b) Mains must not be overloaded. It is important that the correct socket outlet and plug top face (where these are available) is used for each item of electrical equipment.
- c) 13 amp plugs can be used for appliances with a loading capacity maximum of 13 amps. Plug fuses must be fitted to suit current load of the equipment being used, e.g. computer, router, fan: 3 amp fuse; 2-bar heater, kettle: 13 amp fuse. Fuses are available with ratings of 3, 5, 7, 10 and 13 amps. The current load is normally shown on the item of equipment. When in doubt, do not guess, seek qualified advice.
- d) Only electrical equipment provided by the Council should be used and electric points must not be overloaded by means of multi-adaptors. All mains should be switched off when not in use, and plug tops removed from sockets overnight and at weekends.
- e) Leads from points for various desk uses should not present a hazard by trailing across areas of access. Extension leads are for temporary use only and should not exceed 10 feet in length.
- f) Defective equipment must never be used. Staff should not attempt to effect repairs to electrical equipment, unless competent to do so.

- g) In the event of power loss or electrical breakdown, a qualified electrical engineer should be called and any modifications should be recorded and attached to certification.
- h) Portable Appliance Testing (PAT) is carried out every two years.

2. FURNITURE, FITTINGS AND EQUIPMENT

- a) Heavy equipment and furniture must not be moved by individuals.
- b) Office equipment whether manually or electrically operated, must not be used by unauthorised, untrained personnel.
- c) Filing cabinets should always have sufficient weight in the bottom drawer to prevent the cabinet from tipping when a full top drawer is opened. Filing cabinet and desk drawers must always be closed immediately after use. Drawer filing cabinets should be inspected at least every six months to ensure correct loading and smoothness of operation, with particular regard to the effectiveness of the drawer stops. Damaged or defective cabinets must not be used and a replacement obtained.
- d) High shelves should only be reached through the use of steps provided for that purpose. It is dangerous to stand on desks and chairs, particularly those fitted with castors and this should be avoided at all times.

3. FIRE PRECAUTIONS

- a) All staff must be fully conversant with the "Fire Alert" system displayed in the offices.
- b) Exit corridors, landings and stair cases must be kept clear at all times.
- c) Flammable materials must not be stored, even for a temporary period, in the offices or corridors, unless the storage is in a fire resistant structure such as a metal cupboard or bin, clearly marked "Flammable Materials".
- d) Waste paper bins must be of metal construction and be emptied as appropriate, not less than weekly.

GROUPS MAINTENANCE Annex 2

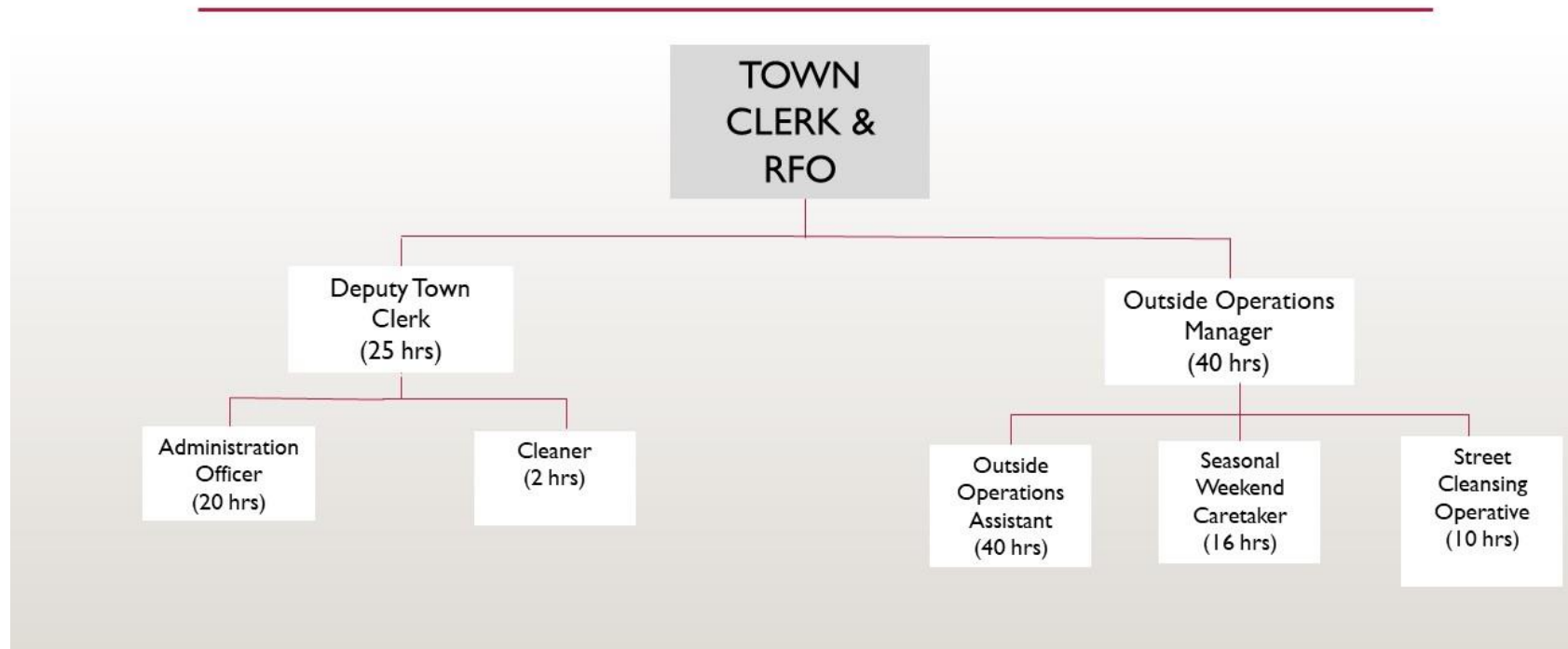
1. Only contractors or authorised members of staff and council members, who have received training and instruction in the operation of machinery, vehicles and equipment may do so.
2. All dangerous moving parts of machinery must be guarded. Guards must not be removed except for the purpose of repair and maintenance. All machinery must comply with statutory regulations for guarding and use.
3. The engines of any motorised equipment must be stopped before any inspection or adjustment is carried out. In the case of electrically operated machines the plug lead must be disconnected.
4. Children must not be allowed to play in an area where machinery is in use. Machinery must not be left unattended where children (or others) may interfere with them.
5. Stones and similar objects must be cleared from the path of equipment to prevent such objects being projected from machinery.
1. Fuel tanks must only be filled in the open, with the engine stopped. No risk of naked flames, or smoking is allowed in the vicinity of a fuel tank or storage can.
7. Fuel may only be stored in a safety can of a type approved, and in a store designated by the Fire Warden.
8. The manufacturer's instructions regarding the safe use of chemicals, machines, and powered hand tools must be adhered to - this includes manufacturers guidance relating to the wearing of safety equipment.
9. Appropriate protective clothing such as gloves and overalls, face masks, ear defenders and boots must be used when operating with machinery and chemicals including herbicides and pesticides. When working in ditches and ponds, suitable waders must be worn (no lone working in this environment permitted).
10. Ladders and stepladders must be in good condition and free from defects and securely positioned at all times when in use. Low level ladder only permitted and colleague to be present. Suitable signage should be used to warn others of potential hazard.
11. Pathways on Council owned premises shall be inspected annually.
12. Operators must be aware of the dangers when using cutting tools, cutting disks and abrasive wheels etc. Ensure correct disk and drills are used for the appropriate materials.
13. Chain saws and bush cutters must only be used by trained and qualified members of staff. Care and warning signage must be undertaken to alert others to the potential danger and not impacted by flying objects.

14. Drinking from hose pipes and the water bowser is not permitted as the contents are considered not potable.
15. When any uncertain arises about the use of a tool, or task – guidance should be sought before carrying out the task.
16. When trailing hoses are used/laid across public pathways appropriate warning signage should be used to highlight the trip hazard.
17. All COSHH regulations should be adhered to. For more information and guidance please refer to the Health and Safety Executive website.

Note: The advice in this note is based on the Society's understanding of the law and practice at the present time and is not intended to be a comprehensive statement and no liability can be accepted for any error, omissions or inaccuracies contained therein

Lytchett Minster and Upton Town Council – Organisational Chart
LMUTC/SH/Pol02/V/Sept22

LYTCHETT MINSTER & UPTON TOWN COUNCIL STAFFING STRUCTURE





Terms and Conditions of Service

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol03/VAug2021

Employees' terms and conditions of employment will be in accordance with collective agreements negotiated from time to time by the National Joint Council for Local Government Services.

These are set out in the Scheme of Conditions of Service, which is known as 'the Green Book'. A copy of this is available from the Town Clerk on request; key terms and conditions are included in each employee's written contract of employment. This agreement is supplemented by local agreements and by the rules of the Council.

This handbook provides all employees with information relating to locally agreed policies, rules of the Council and other useful information relevant to their employment.

From time to time updates and amendments will be necessary. Some result from new/amended legislation and/or changes agreed at national level. Local changes may also be made after consultation with employees or their representatives.

It is impossible to implement rules and policies for every eventuality. Many rules are implied by the need for courtesy and common sense. The Council expects all employees to exercise discipline in their behaviour, their attitudes and their relationships with fellow employees, customers and members.



Standards of Dress

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol04/VNov2022

All staff should keep in mind the need to present a smart, efficient appearance to the public. Standard of dress can affect people's impression of the Council's pride in its performance.

In those departments where staff wear their own clothing, during the summer period in particular staff should avoid dress that is too casual e.g. t-shirts, leggings or shorts. Male staff in a public facing role or whilst attending formal meetings, should keep to a smart collar and tie.

All staff should wear any uniforms that have been provided by the Town Council. The wearing of safety clothing and equipment issued is essential. Any individual not wearing the appropriate equipment may be subject to disciplinary action.



Code of Conduct

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol05/VNov22

Local government employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality.

Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

It is generally accepted that open government is best. Employees must be aware of which information their authority is and is not open about, and act accordingly.

Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor pass it on to others who might use it in that way.

Employees must service the authority as a whole and ensure that the individual rights of all councillors are respected.

Employees are responsible to the authority through its senior managers. For some, their role is to give advice to councillors and senior managers, all are there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government.

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees involved in appointments should ensure that these are made on the basis of merit. Employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.



Members' and Officers' Protocol

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol06/VAug2021

The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another in such a way as to ensure the smooth running of the Council.

The Council's adopted Code of Conduct for Members provides that a Member must treat others with respect. In line with this, it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position.

A Member should not raise matters relating to the conduct or capability of an Officer at meetings held in public. The matter should be raised with the Town Clerk.

Where an Officer feels that she or he has not been properly and respectfully treated from a Member they should raise the matter with the Town Clerk.

It must be recognised by all Officers and Members that, in discharging their duties and responsibilities, Officers serve the Council as a whole and not exclusively any political group, combination of groups or any individual Member of the Council.

All Officers must, when dealing with political groups and individual Members, treat them in a fair and evenhanded manner.

Support provided by Officers can take different forms, ranging from the normal briefing with a Chairman prior to a meeting to responding to telephone queries. Such support is available to all Members regardless of political affiliation and will be available to all political groups should they become formalised in the future. When support such as this is given, both Members and Officers should understand that it must not extend beyond providing information and advice in relation to matters of Council business; Officers should not be involved in advising on matters of party business.

While any Member may ask a relevant Officer for written factual information about a service, such requests must be reasonable. Requests will be met, subject to any overriding legal considerations (such as the General Data Protection Act (GDPR)), unless the recipient of any request considers the cost of providing the information requested or the nature of the request to be unreasonable. If that is the case, s/he will raise the matter with the Town Clerk who will discuss the issue with the Member.

1. Support Services To Members And Political Groups

The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photocopying, transport etc.) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity, or for private purposes.

2. Members' Access To Information And To Council Documents

Members are free to approach Officers to ask for information. This right extends to such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent.

As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by common law.



Leave and Time off in Lieu Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol07/VAug2021

1. Annual Leave

The Council takes a positive view on work/life balance issues and believes that employees should take responsibility for regularly taking annual leave to ensure their own health, safety, and wellbeing in accordance with the Working Time Directive.

Annual leave must only be taken with Line Manager approval. Employees must give as much notice as possible when requesting annual leave. Such notice should be at least twice the number of days' leave that the employee wishes to take as annual leave.

The annual leave year runs from 1 April to 31 March.

The minimum paid annual leave entitlement is 22 days, rising to 25 days after five years' continuous local government service. Employees are also entitled to two extra statutory holidays per year; the timing of these will be decided by the Council. Those employed part-time will be entitled to leave on a pro-rata basis.

Employees who join and/or leave the Council during the annual leave year will receive a holiday entitlement proportionate to their completed service during the leave year.

In the event of the employee leaving the Council, payment for any leave which has been taken in excess of their accrued part year entitlement will be deducted from the final wage payment.

2. Bank/Public Holidays

All employees are entitled to paid bank/public holiday leave. The Council recognises eight bank holidays during the year, although the dates of these may vary from year to year.

Part-time employees have a pro rata entitlement to bank/public holiday leave. This is calculated with reference to the annual entitlement of a full-time employee.

3. Carry Over of Annual Leave

All annual leave should be taken in the leave year during which it is accrued. In exceptional circumstances, a maximum of five days' leave can be carried over into the next leave year with the written permission of your Line Manager.

4. Compassionate Leave With Pay

Up to 3 days' compassionate leave with pay can be granted in order to help the employee to cope with the death or serious illness of a member of their immediate family. This includes:

- Husband, wife, or partner;
- Mother or father;
- Child, including any adopted child; and
- Sister or brother.

A further day may be granted for attending the funeral.

All applications for Compassionate Leave must be made to the Town Clerk for determination.

In exceptional circumstances, the Town Clerk will consider granting a maximum of a further seven days' compassionate leave in any one year.

5. Public Duties

Up to 5 days' leave with pay per year may be given with the permission of the Town Clerk for serving on public bodies or undertaking public duties, e.g. magistrate's service, school governing bodies, and political appointments for those employees whose posts are not politically restricted.

Where an allowance is claimable for loss of earnings, employees should claim and pay the allowance to the Council.

6. Jury Service

Paid leave of absence will be granted for employees undertaking jury service. Where an allowance is claimable for loss of earnings, the employee should claim this and pay the allowance to the Council.

7. Additional Leave

Additional leave without pay may be granted in special circumstances at the discretion of the Town Clerk.

8. Parental Leave

8.1. Introduction

The Parental Leave regulations came into force as part of the Employment Relations Act 1999. They apply to all parents and those people with parental responsibilities and allow for them to take up to 18 weeks' unpaid leave.

This leave must be taken between the child's birth and their fifth birthday. If the child has disabilities and is in receipt of a Disability Living Allowance it must be taken before the child's eighteenth birthday.

This scheme also applies to adoptive parents, who may take parental leave up to the fifth anniversary of the date of placement or the child's 18th birthday, whichever is sooner.

8.2. Eligibility

The right to take up to 18 weeks' unpaid leave (or 18 weeks in respect of a child with disabilities) is subject to the following conditions:

- The rights are acquired after one year's continuous local government service and apply to both mothers and fathers;
- Both parents are entitled to take 18 weeks' parental leave for each child;
- The leave can only be taken in blocks of one week or more, up to a maximum of four weeks in one year, except where the child is disabled, in which case it may be taken one day at a time;
- The employee is obliged to give his or her manager at least 21 days' notice in writing to take leave;
- The manager may postpone the leave for a maximum of 6 months if there are sound business reasons for doing so. The manager should seek agreement with the employee over mutually acceptable arrangements and confirm the outcome in writing within 7 days of the request;
- Managers should keep a record of leave taken under this entitlement, so that it is clear when the entitlement is exhausted;
- All terms and conditions of service, with the exception of pay, remain in force during the period of leave;
- Employees have the right to return to their job in the same way as provided to those returning from maternity leave;
- Time taken as parental leave counts as continuous service;
- If an employee falls ill during parental leave, the absence will be treated as sick leave for those periods covered by a doctor's certificate.

9. Time Off For Dependants

Under the [Employment Rights Act 1996](#), all employees (regardless of their length of service) have the right to take a reasonable amount of unpaid time off work without notice in order to deal with particular unexpected emergencies affecting their dependants.

A dependant is:

- A spouse;
- A civil partner;
- A child;
- A parent;
- A person who lives with the employee other than as his or her employee, tenant, lodger, or boarder;
- Any other person who would reasonably rely on the employee for assistance if he or she fell ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- In relation to the disruption or termination of care for a dependant or any other person who reasonably relies on the employee to make arrangements for the provision of care.

Under this provision, an employee is entitled to take time off work:

- Where a dependant falls ill, gives birth, or is injured or assaulted;
- To provide assistance following the death of a dependant;
- Where there has been an unexpected disruption to, or termination of, the arrangements for the care of a dependant; and
- To deal with an emergency relating to a child of the employee that occurs unexpectedly at the child's school.

Although there is no requirement to give notice the employee must, as soon as possible, tell their line manager the reason for their absence and how long they expect to be away from work.

10. Implications Of Unpaid Leave For Local Government Pensionable Service

If employees are granted unpaid leave of absence or leave on reduced pay (including parental leave):

For the first 30 days:

Full LGPS membership continues to build up during this period but the employee must pay the pension contributions that would have been paid had she/he been at work.

After 30 days:

This period will not count as pension scheme membership unless the employee opts to pay for it to do so. For the period to count as pensionable service he/she must pay the contributions that would have been paid if they had been at work. If the employee wishes to do this they must notify the employer in writing within 30 days of their return to work (or within 30 days of leaving work if they do not return.)

11. Time Off in Lieu

A request for Time off in Lieu may be presented to the Town Clerk and will be authorised on his/her discretion.



Allowances

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol08/VAug2021

1. Car Allowance

Where the Council authorises an employee to use a private car on official business the employee will receive an allowance. This is not conditional and an employee does have the right to refuse to use their car for official business.

The rate applicable is paid in accordance with the prevailing Approved Mileage Allowance Payments rates set by Her Majesty's Revenue and Customs (HMRC). The rate will be paid per mile to the nearest whole mile.

Any employee using their car on Council business must provide a valid certificate of insurance to include business use in addition to social and domestic use.

A travel expense form must be completed for all travel expense claims, signed by your Manager and passed to the Town Clerk where payment will be processed with wages or salaries.

2. Eye Tests

Free eye and eyesight tests are available for those appointed to use display screen equipment (DSE) and for those who currently use this equipment at regular intervals. The Council will pay for an eye test and after assessment and approval will pay 50% towards the of cost glasses prescribed for the use of an employee when operating display screen equipment but not contact lenses, or designer frames or for lenses other than those prescribed specifically for use in connection with the operation of display screen equipment.

An expenses claim form must be completed and signed by your Manager and passed to payroll where payment will be processed with wages or salaries. Any application for the reimbursement of payment for the cost of glasses must be accompanied by verification, from an Optician, that the prescription is for glasses specifically for the use of DSE.



Training and Development Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol09/VAug2021

1. Introduction

Lytchett Minster and Upton Town Council is committed to training and developing its employees so that they may reach their full potential.

All employees will receive the necessary training to enable them to do their work to the required standard. Decisions relating to training and development will be made fairly and consistently, and equality of opportunity will be provided for all Lytchett Minster and Upton Town Council's employees.

2. What Is Training And Development?

People are often confused about the difference between training and development as sometimes the terms are used to mean the same thing. The Council considers training to be the support an individual needs to help him/her gain the skills, knowledge and attributes that are necessary to do the current job to the required standard. For example this could mean coaching from the line manager or a colleague; reading manuals and books; doing a computer training course.

Development is about helping people gain the skills and knowledge that the Council needs so that it is ready to meet future developments and changes in its broad remit.

Professional employees are often members of a professional body and are expected to undertake continuing professional development (CPD) in order to maintain their membership. The organisation will support CPD where employees are required to use their professional knowledge in their jobs. Where there is a resource or financial costs for CPD, employees must apply for support in the same way as other training needs. Departmental Managers will keep a record of CPD undertaken by staff.

3. How Training And Development Is Identified

Training and development needs are identified in a number of ways: at induction; when setting job objectives; at appraisal discussions; when undertaking a skills audit; when changes occur at work; when moving to another job; taking on additional responsibilities; following promotion; and as a result of changes to organisational needs.

The Council's Staff Appraisal system in particular provides managers and employees with formal opportunities during the year to discuss training and development needs. These must always be identified within the context of the Council's business needs for the current and forthcoming year so managers and employees need to be clear about how the training identified will help the individual meet the business objectives. The outcome of these discussions, including any CPD needs, must be recorded on the appraisal record.

4. Responsibilities Of Individuals

Individuals have a responsibility to participate fully in discussing and agreeing training needs and setting both short and longer term learning objectives with their managers. These objectives should be expressed in SMART terms, i.e. specific, measurable, agreed, realistic and timebound, and should be clearly understood. Once these are agreed and it has been decided which learning activity best meets the training need, staff are expected to participate fully in them, put into practice what has been learnt, and evaluate the outcomes in the shorter and longer term.

5. Responsibilities Of Managers

Managers are responsible for identifying, discussing, and agreeing learning needs with their staff in a positive and supportive environment; the appraisal system in particular provides this opportunity. Having identified a learning need, managers, in discussion with their member of staff, should establish the most effective means of meeting it— whether by a formal internal or external training course or provision of other internal support. They also have a responsibility for ensuring that it meets the organisation's business objectives. Once the learning activity has been undertaken, the manager is responsible for encouraging the individual to carry out an evaluation of the training which should form the basis of a discussion at their next appraisal meeting

6. Responsibilities Of The Town Clerk

Departmental Managers are responsible for putting forward the annual training budget and managing that budget once agreed, so that the Council can meet the agreed training and development needs of the organisation's business objectives for the year ahead. She/he will ensure that the training budget is fairly allocated and there is equality of opportunity for all staff to access it.

The Town Clerk will ensure that a consistent approach is taken to all matters relating to learning needs and that these needs support the Council's business objectives. It is also the Town Clerk's responsibility to ensure that evaluation of training and development activities takes place at all levels on a regular basis across the organisation and to monitor the impact that learning activities have had. To this end, the Town Clerk will report on training activity to the Council on a regular basis.

7. Where To Go For Help In Finding Training Solutions

A training course is not always the best option for meeting training needs and very often other learning solutions are more effective in meeting an individual's needs and provide better value for money. This may include: job shadowing, mentoring, on-the-job coaching, work observations, reading, self-learning etc. Employees can discuss the available options with their line manager.

8. How To Apply For Funding For External Training And Development

If, having considered the options, managers and employees agree that a formal external training course is the best solution, your Departmental Manager will need to be consulted to ensure that funding is available. Formal approval must be given by the Town Clerk before anyone enters into any significant financial commitment.

Once the funding has been agreed, the individual can arrange the training. However, where a number of people have similar needs, consideration will be given to arranging a training event in-house.

9. Repayment Of Fees

Where an employee seeks funding for a course of study – which may or may not lead to a nationally recognised qualification – in excess of £1,000, the employee will be asked to sign a Certificate of Undertaking. This will be to the effect that if they leave the Council within 24 months of achieving the qualification or if they do not complete the course, then the Council has the right to reclaim the costs of the training. Any reclaim will be made on a pro rata basis and will be deducted from salary or any other monies due to the individual, with an invoice sent for any balance due.

10. Leave For Revision And Examinations

Paid leave may be given for examinations at the discretion of the Town Clerk.

11. Evaluation Of Training Provision

The purpose of any form of training or development is to improve performance, for both the individual and the organisation and is provided on the basis that there will be a specific and measurable outcome.

Individuals are encouraged to give feedback to their Departmental Manager with regards to their learning and development activities. This information can form part of a training review at the individual's next appraisal. Those with CPD obligations should complete a learning portfolio following the requirements of the professional body concerned.

At an organisational level an annual report will be presented to the Personnel Committee to measure the success of the Council's investment in individuals within the organisation and review any future training programme as a whole.



Equal Opportunities Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol10/VAug2021

Lytchett Minster and Upton Town Council is an Equal Opportunities employer.

1. The Policy

Lytchett Minster and Upton Town Council is committed to being an effective Equal Opportunities organisation. This means that the Council will do everything in its power to ensure that everyone is treated fairly and with respect at all times.

This applies to all areas of the Council's activities; including recruitment, employment, and provision of Council services.

1.1. As An Employer

We will provide equality and fairness for all in our employment and will not discriminate on grounds of:

- Age;
- Disability;
- Sex or gender;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race (including ethnic origin, skin colour, nationality, and national origin);
- Religion or belief; or
- Sexual orientation.

All employees will be treated fairly and with respect regardless of position, part-time/full-time working, or length of contract. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

All employees are required to treat one another with mutual respect. Actions, behaviour, and attitudes should consistently demonstrate respect for the dignity and worth of an individual.

Harassment and discrimination in any form is unacceptable behaviour and offenders will be subject to disciplinary action.

1.2. As A Service Provider

The Council will strive to ensure that all services provided by, or on behalf of, the Council are made accessible to all individuals and groups equally and without discrimination.

All service users will be treated with respect. Actions, behaviour, and attitudes will consistently demonstrate respect for the dignity and worth of an individual.

The Council will, wherever appropriate, work in partnership with other agencies in the area; including the relevant unitary, county, district, and borough councils, voluntary groups, and community organisations to promote equal opportunities.

The Council will ensure that all contractors directly supplying goods and services or executing works for, or on behalf of, the Council comply with this Council's stated policy on equal opportunities.

2. The Policy In Action

2.1. As An Employer

The Council aims to achieve the policy by:

- Ensuring that its employees are made aware of their rights and responsibilities to each other, the customer, and the organisation regarding equal opportunities issues;
- Providing a way in which individuals can communicate any concerns via competent named personnel;
- Treating any unacceptable behaviour seriously; and
- Ensuring that all Managers realise they have a key role in implementing this policy and are expected to take personal responsibility for ensuring its success.

2.2. As A Service Provider

The Council aims to achieve its policy by:

- Ensuring that employees are made aware of the Council's standards of service and customer care, including equal treatment in service delivery;
- Ensuring that no member of the public is disadvantaged or treated less favourably than others in terms of access to Council services. Where the Council's practices, policies, or procedures are found to make access impossible or unreasonably difficult, we will take such steps as are reasonable in the circumstances to change these practices, policies or procedures;
- Ensuring that, wherever practical, all public buildings and premises owned or managed by the Council are accessible to all. Where this is impractical in the short-term, we will provide reasonable alternative methods of access so that no member of the public is disadvantaged by physical barriers;

- Recognising the importance of communication in attaining equality and providing quality services, which are responsive to the needs of all local people, for example through the provision of information in large print and on audio tape on request; and
- Complying with all relevant legislation relating to discrimination and equality.

3. Role Of Councillors And Employees

All Councillors and employees are responsible for implementing the Council's Equal Opportunities Policy. It is important that all individuals who are employed by the Council appreciate that they have a responsibility and a role to play in the provision of equal opportunities.

4. Monitoring Of Equal Opportunities

The Council's Finance and Administration Committee will have responsibility for the implementation and monitoring of the policy as it applies to the Council as an employer.

This committee will also be responsible for implementing and monitoring the policy as it applies to the Council as a service provider, involving local community and voluntary groups in the monitoring process where appropriate.

Complaints from staff about discrimination or unfair treatment will be dealt with as laid down in the Council's Grievance Procedure.

Complaints from members of the public about discrimination or unfair treatment will be dealt with through the Council's Complaints Procedure.



Flexible Working Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol11/VAug2021

1. Introduction

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made.

As a good employer, Lytchett Minster and Upton Town Council has always had a positive view of flexible working. This policy sets out the framework in which variable working will be managed within the Council.

2. Eligibility

The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service.

Only one flexible working request can be made within a twelve month period.

The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application, and the manager is required to follow a specific procedure to ensure requests are considered objectively.

3. Timescales

Requests will be considered in a timely manner. The entire process, including hearing an appeal will be completed within 3 months of the written request being received.

4. Roles and Responsibilities

Normally, the Town Clerk will consider flexible working requests and appeals will be heard by the Finance and Administration Committee.

If the request is being made by the Town Clerk, this should be referred to the Finance and Administration Committee, who will set up a panel to consider the request and a separate panel to consider any appeal.

5. Representation

Employees have the right to representation, either by a trade union representative or a work colleague, at the meeting and appeal stages.

Representatives have the right to address the meeting or appeal. They may also ask questions and present the employee's case. However, they have no right to answer questions on the employee's behalf.

6. What is Flexible Working?

Flexible working can mean a change to the number of hours worked, the times worked or the place of work.

Some examples of flexible working are:

- Part-time working;
- Job share;
- Flexible working hours;
- Term time only working; or
- Working from home.

7. How to apply

Anyone considering flexible working should first discuss with their departmental manager the reasons for the request to change their working pattern and how they think it could work. A formal application can then be made in writing to the Town Clerk. It should set out clearly:

- The desired change in working pattern;
- How it will impact upon the work of the Council;
- How the employee will manage their work to ensure there is no loss in efficiency;
- The impact of the change of the work pattern on the employee's colleagues;
- How any potential problems will be overcome; and
- When the employee wishes to start the new way of working.

8. Meeting to Consider the Request

All applications will be considered fully at a meeting with the Town Clerk (or a Panel of the Finance and Administration Committee if in relation to the Town Clerk).

The employee's Line Manager may also be asked to attend to explain the possible impact of any changes on the team.

9. Making the Decision

After the meeting, the Town Clerk will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the Council against any adverse impact of implementing the changes.

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

The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting. The request may be granted in full or in part: for example, the Council may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. The employee will be given the right to appeal the decision if the employee's request is not upheld or is only upheld in part.

If an application is refused, the employee will be notified in writing with reasons why the request cannot be accommodated at this time.

The grounds for refusing a request include:

- Additional burden of costs;
- Inability to reorganise work among other staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental effect on customer service;
- Detrimental impact on performance;
- Insufficient work available during the periods the employee proposes to work; or
- The proposal does not fit in with planned structural changes.

Regardless of whether an application is approved or not a further application cannot be made within 12 months.

10. Right of Appeal

An employee has the right of appeal against the Council's decision. An Appeal should be submitted in writing to the Town Clerk who will arrange an appeal meeting. Appeals will be heard by a Panel of the Finance and Administration Committee who will notify the employee of the outcome, following the meeting.

11. Review

If a trial period has been agreed, then the Town Clerk and the appropriate Manager will undertake this review. This is to ensure that the change in work pattern is working effectively and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem, the individual will be consulted before a decision is made to vary the working pattern further or revert to the original working arrangement.

At the end of the review the Town Clerk will confirm in writing whether or not the change in working pattern will be made permanent. If it may not continue, notice will be given that the working pattern cannot be accommodated and will end on a specified date.

All flexible working will be reviewed periodically by management to ensure that the needs of the Council continue to be met.



Vehicle Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol12/VAug2021

Vehicle Policy

Policy overview.

Lytchett Minster and Upton Town Council vehicle policy gives employees guidelines for obtaining, qualifying for, and using a council vehicle. A “council vehicle” is any vehicle Lytchett Minster and Upton Town Council assigns to employees. This policy applies to all employees who use a council vehicle, and applies during and outside of working hours.

Qualifying for a council vehicle.

Employees may qualify for a council vehicle if they need a council vehicle for their daily work and drive as part of their duties over 2000 miles per year.

If you have not been assigned a council vehicle and believe you need one, contact the Town Clerk.

To be eligible for a council vehicle, employees must complete a form and submit a copy of their original driver’s license. Employees are only allowed to drive a council vehicle if they have a valid driver’s license and a clean driving record for at least 2 years. In order to tow a trailer or bowser, the staff member must have the appropriate license. Should the staff member be required to undertake these towing activities, the Town Council will consider supporting them to acquire the necessary driving permit.

A clean driving record means the employee has not been held at fault for a vehicle accident, or had imposed on their driving license points in relation to violation of vehicle and traffic laws. All changes to licences, including addition of points for traffic violations, must be reported to the Town Council within one month of being added to the license. Lytchett Minster and Upton Town Council can assign and revoke access to council vehicles at its discretion.

Council vehicles for employees with disabilities.

Lytchett Minster and Upton Town Council will make reasonable accommodations to facilitate council vehicle use for eligible employees with disabilities.

Council vehicle rules.

- Obey traffic laws in your jurisdiction and be courteous toward other drivers.
- Document driving expenses.
- Monitor fuel, tyre pressure, and all fluid levels.
- Ensure vehicle is clean and tidy and reflects the Town Council in a professional manner.
- Report any damage or problems to your assigned vehicle immediately.

- Report changes to your driver privileges, such as driver's license suspension, immediately.
- Always lock council vehicles.
- Bring vehicle to scheduled maintenance appointments.
- Do not drive while intoxicated (drink or drugs), fatigued, or on medication that affects your driving ability.
- Do not smoke in any council vehicle.
- Do not lease, sell, or lend a council vehicle.
- Do not use a phone or text while driving.
- Do not use headphones for music or telephony whilst driving.
- Do not allow unauthorized drivers to use a council vehicle unless required by an emergency. You should attempt to secure managerial agreement to this in advance if possible; however if this is not possible, then you must at the first available opportunity notify the Town Clerk.
- Do not take vehicles home, unless with authorization from the Town Clerk or in their absence, the Deputy Town Clerk. If these staff members are not available, then consent must be sought from a senior council member, who will report this to the Officers of the Council at the earliest convenience. A justification for the requirement to take the vehicle home must be given.
- Any person, over the age of 21, may with the Town Clerk's consent drive council vehicles. This consent will be recorded.

Employees who violate council vehicle rules are subject to disciplinary actions which may include verbal and written warnings, suspension of vehicle privileges, termination and legal action.

Accidents.

- Contact Lytchett Minster and Upton Town Council's Town Clerk immediately. They will contact the insurance provider.
- Follow legal guidelines for exchanging information with other drivers and report the accident to local police if required.
- Do not guarantee payment or accept responsibility without council authorization.
- Photograph damage to Council property and any other vehicle involved, or property.

Lytchett Minster and Upton Town Council responsibilities.

- Ensuring vehicles are safe before assigning them.
- Scheduling regular maintenance, including complying with legal requirements.
- Providing vehicle insurance (a copy of said insurance will be supplied to be retained within the vehicle).
- Retiring and replacing vehicles as needed.
- Provide RAC breakdown cover for each vehicle.

What Lytchett Minster and Upton Town Council is not responsible for.

- Paying fines employees receive while driving council vehicles they are responsible for.



Homeworking Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol13/VAug2021

Lytchett Minster and Upton Town Council recognises the advantages of home-based working although it doesn't suit everyone, and some job roles may not be appropriate to undertake at home.

This policy describes the working arrangements and expectations that will apply if you work from home.

Scope of this Policy

It applies to all staff who are home-based whether full time, part time or fixed term. It does not apply to office-based staff who work from home on an ad-hoc basis. If you are considering whether to request home-based working, please refer to the Flexible Working Policy.

Safe working environment

Health and safety for home-based staff applies in the same way as office-based staff, insofar as is reasonably practicable, that you work in a safe manner and that you follow all health and safety instructions issued by us.

You must complete and submit a 'Home Based Workers Risk Assessment' to the Town Clerk. This is a checklist for you to identify any possible hazards in your home working area. Following completion of the checklist, measures may need to be taken to control any risks identified. This checklist should be completed annually, or more frequently if there are any changes to your arrangements such as new equipment or changes to your home-office space.

You must complete and submit a workstation risk assessment and ensure that this remains up-to-date. If you have any questions about the risk assessment, or if you identify any potential risks when carrying out the assessment, you should refer these to the Town Clerk in the first instance.

Some of the most important considerations include: -

- If possible, an area should be set aside from the rest of your living space to ensure that you are able to work from home without distractions,
- Your home office should have adequate space for you to work safely and comfortably,
- Your desk should be large enough to accommodate your equipment and paperwork,
- You should have sufficient storage and your workspace should be organised so equipment is close to hand,
- Your work area should be well lit, with natural lighting if possible,
- Equipment and sockets should be situated to avoid potential trip hazards, and,

- You must also ensure that you visually check the cables of any electronic equipment supplied to you regularly (and at least every 6 months) and report any defects.

We reserve the right to visit you at home at agreed times for work-related purposes, including health and safety matters and to inspect, service or repair equipment (e.g. for PAT testing).

Facilities and equipment

LMUTC will provide you with the following equipment for you to work from home and we will maintain and replace these items when necessary.

- Office chair
- Laptop computer

It is your duty to ensure that proper care is taken of the equipment provided to you and to let the Town Clerk know of any need to maintain or replace the equipment. Should the risk assessment identify any further equipment that is necessary, please discuss this with the Town Clerk.

All equipment provided by LMUTC is for you to work safely and effectively at home and cannot be used for personal use by you or your family.

All equipment will belong to LMUTC and you will be required to return it to us promptly should you leave our employment. If we are unable to make suitable arrangements, we may collect the equipment and any documents before your last day.

Hours of work

As a home-based [flexible] worker, your contract of employment will specify the hours when we expect you to be at work and contactable by telephone or email.

There may be times during the working day when you are not available in which case these should be flagged to the Town Clerk with prior authorisation.

You must be mindful to take adequate rest breaks which should be, as a minimum:

- A break of at least 20 minutes during each working day over 6 hours,
- A daily rest break of at least 11 continuous hours, i.e. the time between stopping work one day and beginning work the next day, and,
- At least one complete day each week when no work is done.

Potential conflicts of interest

During your hours of work, LMUTC expects that your work environment enables you to work effectively and that you are not distracted by domestic matters. It is not appropriate to combine homeworking with caring for a dependant.

If there is an emergency and you need to attend to a non-work matter, then you should notify the Town Clerk(see the Dependent Leave Policy).

Data protection

As a home-worker you are responsible for keeping all documents and information associated with the council secure at all times. Specifically, homeworkers are under a duty to:

- Keep all documentation belonging to us secure at all times
- Set up and use a unique password for the laptop computer and,
- Ensure that documents are saved to the server rather than the laptop computer's hard drive.

Furthermore, the laptop computer and other equipment provided by us must be used only for work-related purposes and must not be used by any other member of the family at any time or for any purpose.

If you have a telephone conversation where you are discussing confidential work matters, you should ensure that such calls take place in privacy to avoid inadvertent breach of confidentiality.

Visits to work premises

On occasions you may need to attend the Town Council office for training, performance assessment meetings, team briefings etc. This will normally not be frequent, and the dates and times of such visits will be agreed in advance.

Insurance, mortgage or rental agreements

Whilst our Employer's Liability Insurance extends to home based staff, and any LMUTC equipment installed in your home will also be covered, you should ensure that any agreement with your landlord or mortgage lender allows you to work from home, and that your house buildings and contents insurance will not be invalidated by you working from home.

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



Maternity Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol14/VAug2021

1. Definitions

The following definitions are used in this policy:

"Expected week of childbirth" (EWC) means the week, starting on a Sunday, during which the employee's doctor or midwife expects her to give birth; and

"Qualifying week" means the fifteenth week before the expected week of childbirth.

2. To Whom This Policy Applies

The occupational maternity scheme shall apply to all pregnant employees regardless of the number of hours worked per week.

3. Notification Requirements

An employee shall notify the Town Clerk in writing at least 28 days before her absence begins or as soon as is reasonably practical:

- That she is pregnant;
- Of the EWC, providing a copy of form MATB1 as supplied by a registered medical practitioner; and
- The date on which she intends to start her maternity leave.

An employee can change her notified start date as long as she gives 28 days' notice or as soon as is reasonably practical.

4. Health And Safety

On receipt of written notification from an employee that she is pregnant, the Council's appointed Health and Safety Officer should carry out a risk assessment. The employee and relevant manager should be fully informed of any risks identified. The manager and employee have an ongoing responsibility to monitor any potential risks that may be present.

5. Ante-Natal Care

Any pregnant employee has the right to a reasonable amount of paid time off to attend ante-natal appointments made on the advice of a registered medical practitioner, which may include relaxation classes and parent-craft classes. Employees must produce evidence of appointments if requested to do so.

6. Maternity Leave

6.1. Ordinary And Additional Maternity Leave

All women, regardless of their length of service, are entitled to 26 weeks' ordinary maternity leave (OML) and 26 weeks' additional maternity leave (AML) providing a right to one year's maternity leave in total.

Maternity leave shall commence no earlier than 11 weeks before the EWC or from the time of childbirth if that is earlier. From the beginning of the fourth week before the EWC, a woman's maternity leave may be triggered if she is absent due to a pregnancy-related illness.

7. Maternity Pay

7.1. Less Than One Year's Continuous Service

Payments for employees who have less than 1 year's continuous local government service at the beginning of the eleventh week before the EWC shall be the employee's entitlement to Statutory Maternity Pay (SMP) or Maternity Allowance (MA).

Statutory maternity pay (SMP) will be payable if the employee has been employed continuously for at least 26 weeks ending with the 15th week before the EWC, and has an average weekly earnings at least equal to the lower earnings limit for National Insurance contributions.

SMP is payable for 39 weeks; for the first six weeks it is paid at 90 percent of the average weekly earnings. The following 33 weeks will be paid at the SMP rate or 90 per cent of the average weekly earnings whichever is the lower.

Women who do not qualify for Statutory Maternity Pay may be entitled to Maternity Allowance, paid by the Benefits Agency, for up to 39 weeks. To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth.

Details of the current rates of Statutory Maternity Pay and Maternity Allowance may be found on the government's website www.gov.uk

7.2. More Than One Year's Continuous Service

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

First six weeks of absence:

The employee will be entitled to nine-tenths of a week's pay. This will be offset against payments made by way of SMP (or Maternity Allowance [MA] for employees not eligible for SMP). This means that any SMP or MA payments will not be paid in addition to the nine-tenths of a week's pay; instead the higher of these amounts will be paid.

Weeks 7 – 52 of absence:

An employee who declares in writing that she intends to return to work will, for the subsequent 12 weeks' absence, receive half a week's pay. She will also receive SMP, if eligible to do so, and the only reason that any deduction will be made is if the combined pay and SMP (or MA and any dependant's allowances if the employee is not eligible for SMP) exceeds her contractual full pay.

As an alternative to the twelve weeks' half pay the equivalent amount (i.e. 6 weeks' pay) may be paid over any other mutually agreed distribution.

The twelve weeks' half pay (or equivalent payment) made by the authority during maternity leave is made on the understanding that the employee will return to local authority employment for a period of at least three months. In the event that she does not do so, she will be required to refund the monies paid. This may be varied at the discretion of the Council if there is good reason to do so. Payments made to the employee by way of SMP are not refundable.

For the remainder of the maternity leave period the employee will receive their entitlement to SMP (which currently ends after 39 weeks in total), where eligible. Once the SMP payments have ended any remaining maternity period will be unpaid.

For employees not intending to return to work, payments during their maternity leave period following the first 6 weeks will only be their entitlement to SMP (currently ending after week 39), where eligible.

8. Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During Maternity/Paternity/Adoption Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Maternity Leave, Ordinary Adoption Leave and Paternity Leave, when the employer continues to make pension contributions.
- Periods of unpaid Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Maternity/Paternity/Adoption Leave

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any unpaid period of Additional Maternity Leave or Additional Adoption Leave. The employee can, if they wish, choose to enter onto age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC.
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town Council voluntarily agrees to contribute to the APC.

9. Continuous Service

Maternity leave counts as continuous service for statutory and contractual purposes.

10. Leave During Maternity Leave

10.1. Annual Leave

Annual leave continues to accrue during maternity leave.

10.2. Bank/Public Holidays

Bank/public holidays accrue during maternity leave.

10.3. Carry Forward Of Annual Leave

The employee and their line manager should review annual leave arrangements prior to maternity leave being taken. Where taking maternity leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

10.4. Treatment Of Leave Where A Woman Changes Her Hours After Maternity Leave

If an employee changes their hours after taking maternity leave, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated on their new hours.

11. Returning To Work

11.1. Notification Requirements

Managers must assume that an employee will return after 52 weeks. An employee need only notify her employer that she is returning to work if she is going to do so before the end of her maternity leave. Otherwise, the employee simply returns at the end of her maternity leave.

However, as the return to work impacts on the half pay element of the Green Book maternity pay, a manager can ask the employee to inform them if they intend to return to work. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their manager know when they are likely to return as soon as possible that would be appreciated.

11.2. Early Return

If an employee wishes to return early or on a different date than they had previously notified, they must give 21 days' notice.

11.3. Keeping In Touch

A woman can do 10 days' work during her maternity leave, in agreement with her manager, without bringing her maternity leave to an end. Working for part of a day will count as one day. A woman will not lose any SMP (Statutory Maternity Pay) for working up to 10 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employees whilst they are on maternity leave. If you do not wish to be contacted, please notify your manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on maternity leave.



Paternity Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol15/VAug2021

1. To Whom This Policy Applies

An employee has a statutory entitlement to take paternity leave for the purpose of caring for a child or supporting the child's mother in the first few weeks following the birth.

2. Paternity Leave (PL) And Maternity Support Leave (MSL)

2.1. Eligibility Criteria

To qualify for paternity leave the employee must satisfy the following. They must:

Be the father of the child, or married to or the partner of the child's mother;
Have or expect to have responsibility for the upbringing of the child; and
Have 26 weeks' continuous service with the Council by the end of the fifteenth week before the expected week of childbirth (EWC).

Paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either adoptive parent may take paternity leave where the other adoptive parent has qualified and elected to take adoption leave.

2.2. Paternity Leave (PL)

An employee who meets the qualifying criteria is entitled to two weeks' Paternity Leave.

An employee can take either one week or two consecutive weeks' Paternity Leave, paid at the current Statutory Paternity Pay (SPP) rate. It must be taken within 56 days after the child is born or adopted. Employees must take this leave in full weeks, i.e. either one or two weeks' leave.

2.3. Maternity Support Leave (MSL)

Paragraph 7.6 of Part Two of the Green Book provides a right to Maternity Support Leave (MSL) of one week. This is provided for the child's father, or the partner or nominated carer of an expectant mother at or around the time of birth. There is no qualifying service requirement for this right.

Maternity Support Leave replaces one week of Statutory Paternity Leave; during this time any SPP is topped up to full pay. Therefore an employee who would otherwise have been entitled to two weeks' Statutory Paternity Leave will be entitled to one week's Maternity Support Leave (during which Statutory Paternity Pay will be topped up to full pay) and one week's Statutory Paternity Leave (during which they will receive Statutory Paternity Pay).

2.4. Notification Requirements for Paternity Leave and Maternity Support Leave

Before Paternity Leave starts

The employee must provide the following in writing by the end of the fifteenth week before the expected week of childbirth. If this is not reasonably practical, notice must be provided as soon as is reasonably practical:

- The expected week of childbirth (EWC);
- Whether they intend to take one or two weeks' leave;
- The date the employee wishes to take their leave, as discussed with their manager.

If requested, the employee must also provide a copy of the mother's MATB1 as well as providing the employer with a signed declaration confirming they are:

- The baby's biological father, married to or in a civil partnership with the mother, or living with the mother in an enduring family relationship, but are not an immediate relative; and
- Will be responsible for the child's upbringing and will take time off work to support the mother or care for the child.

After the birth

The employee must also inform the employer of the date the child was born, as soon as is reasonably practical after the child's birth.

3. Ante-natal Care

Expectant fathers, and partners of pregnant women have the right to unpaid time off to attend two antenatal appointments with the expectant mother, with a maximum statutory entitlement of 6 ½ hours' time off for each appointment. They must produce evidence of appointments if requested to do so.

4. Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During Maternity/Paternity/Adoption Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Maternity Leave, Ordinary Adoption Leave and Paternity Leave, when the employer continues to make pension contributions.
- Periods of unpaid Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Maternity/Paternity/Adoption Leave

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any unpaid period of Additional Maternity Leave or Additional Adoption Leave. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town Council voluntarily agrees to contribute to the APC.

5. Continuous Service

Paternity Leave and Maternity Support leave will count as continuous service for statutory and contractual purposes.

6. Annual Leave And Bank/Public Holidays

Annual leave and Bank/Public holidays will continue to accrue during paternity leave and Maternity Support leave.



Adoption Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol16/VAug2021

1. To Whom This Policy Applies

This policy applies to all Council employees seeking to adopt a child from approved Adoption Agencies.

The right to adoption leave is available to men and women (whether married or single) who adopt a child through an approved adoption agency. Where a couple jointly adopts a child, only one of them (known as the primary adopter) will be entitled to take adoption leave (the couple can choose which). The other adoptive parent (known as the secondary adopter) will normally be entitled to take Statutory Paternity Leave, provided that he or she meets the relevant statutory criteria.

2. Adoption Leave

All employees, regardless of their length of service, are entitled to 26 weeks of Ordinary Adoption Leave and 26 weeks Additional Adoption Leave (subject to providing the sufficient evidence as per below).

Adoption leave can start:

- up to 14 days before the date the child starts living with the adopter (UK adoptions)
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (if the employee has used a surrogate to have a child)

An employee can change their mind about when they start their leave, provided they give sufficient notice. They must inform their manager of the new date 28 days before the date they now wish their leave to start, or as soon as is reasonably practical.

3. Adoption Pay

Payments for employees shall be the employee's entitlement to Statutory Adoption Pay (SAP), where eligible.

Statutory Adoption Pay is paid for up to 39 weeks. The weekly amount is:

- 90% of employees average weekly earnings for the first 6 weeks
- SAP or 90% of employees average weekly earnings (whichever is lower) for the next 33 weeks

This provision is the statutory entitlement. Details of the current rates of Adoption Pay may be found on the government's website www.gov.uk

4. Eligibility Criteria

To qualify for adoption pay an employee must:

- Have 26 weeks' service by the notification week; and
- Be the child's adopter, i.e. have been matched with the child for adoption. A person is matched with a child when an adoption agency decides that they would be a suitable adoptive parent for the child.

The notification week is the week in which the employee is informed by the adoption agency that they have been matched with a child.

The employee needs to have agreed with the adoption agency that the child should be placed with them and the date the placement should occur and provide the Council with the appropriate notice and evidence of entitlement.

5. Notification Requirements

Within 7 days, or as soon as possible after the day the employee receives notification from the adoption agency that they have been matched with a child, an employee must inform the Town Clerk in writing of the following:

- the date the child is expected to be placed with them for adoption;
- the date the employee has chosen to start their leave and pay.

6. Evidence

In order to receive adoption pay and leave, the employee must provide the Town Clerk with either a matching certificate and/or a letter from the adoption agency which shows the following:

- the name and address of the adoption agency;
- the employee's name and address;
- the date the child is expected to be placed for adoption, or where the child has already been placed, the date of placement, and;
- the date the employee was informed that the child would be placed with them.

Where an employee is entitled to Statutory Adoption Pay (SAP) they must provide a signed declaration that they have elected to receive SAP and not statutory paternity pay (SPP).

7. Adoption Appointments

The main adopter has the right to take paid time off for up to five adoption appointments. The secondary adopter will be entitled to take unpaid time off for up to two appointments.

8. Leave During Adoption Leave

8.1. Annual Leave

Annual leave continues to accrue during adoption leave.

8.2. Bank/Public Holidays

Bank/public holidays continue to accrue during adoption leave.

8.3. Carry Forward of Annual Leave

The employee and their line manager should review annual leave arrangements prior to adoption leave being taken. Where taking adoption leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

9. Continuous Service

Adoption leave counts as continuous service for statutory and contractual purposes.

10. Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During Maternity/Paternity/Adoption Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Maternity Leave, Ordinary Adoption Leave and Paternity Leave, when the employer continues to make pension contributions.
- Periods of unpaid Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Maternity/Paternity/Adoption Leave

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any unpaid period of Additional Maternity Leave or Additional Adoption Leave. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town Council voluntarily agrees to contribute to the APC.

11. Returning to Work

11.1. Notification Requirements

Managers must assume that an employee will return after 52 weeks. An employee need only notify their employer that they are returning to work if they are going to do so before the end of the adoption leave. Otherwise, the employee simply returns at the end of the adoption leave. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their manager know when they are likely to return as soon as possible that would be appreciated.

11.2. Early Return

If an employee wishes to return early or on a different date than they had previously notified, they must give 8 weeks' notice.

11.3. Keeping in Touch

An employee can do up to 10 days' work during their adoption leave, in agreement with their manager, without bringing their adoption leave to an end. Working for part of a day will count as one day. An employee will not lose any SAP (Statutory Adoption Pay) for working up to 10 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employee whilst they are on adoption leave. If you do not wish to be contacted please notify your manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on adoption leave.



Shared Parental Leave Policy

Lytchett Minster and Upton Town Council LMUTC/SH/Pol17/VSept
2022

1. Definitions

The following definitions are used in this policy:

- "Expected week of childbirth" (EWC) means the week, starting on a Sunday, during which the employee's doctor or midwife expects her to give birth; and
- "Qualifying week" means the fifteenth week before the expected week of childbirth
- "Primary adopter" refers to the nominated parent (when a couple is adopting) who is entitled to take the statutory adoption leave / pay.

2. Abbreviations

The following abbreviations are used within this policy:

- SPL Shared Parental Leave
- ShPP Shared Parental Pay
- SMP Statutory Maternity Pay
- SAP Statutory Adoption Pay
- MA Maternity Allowance

3. Overview

In 2015 the Government introduced new legislation which enables mothers, fathers/partners and primary adopters to decide how to share the care of their child during the first year of birth or adoption.

The legislation enables mothers or primary adopters who wish to, to end their maternity or adoption leave/pay period early and share the remaining entitlement with their partner.

It is important to understand that there is a distinction between the entitlement to leave and pay.

It is also important to understand that each individual(i.e. the mother/primary adopter and the father/partner) wishing to take a period of Shared Parental Leave and/or receive Shared Parental Pay must be assessed in his/her own right to check whether he/she is eligible.

Depending upon whether they satisfy specific qualification criteria, individuals may be entitled to:

- Leave (SPL) and pay (ShPP)
- Pay (ShPP) but not leave (SPL)
- Leave (SPL) but not pay (ShPP)
- Neither leave (SPL) nor pay (ShPP)

SPL can only be used by two people:

- The mother/primary adopter and
- One of the following:
 - The father of the child (in the case of birth) or
 - The spouse, civil partner or the partner of the child's mother/primary adopter.

4. Shared Parental Leave

4.1. Entitlement to Shared Parental Leave

The total amount of leave to which employees may be entitled is calculated using the mother's/primary adopter's entitlement to maternity/adoption leave/pay. The maximum amount of SPL available is 52 weeks. SPL must be taken during the child's first year of birth/placement and must end no later than one year after the birth/placement of the child.

A mother/primary adopter who is entitled to maternity/adoption leave must take a period of compulsory leave of two weeks immediately after the birth or placement of the child. Following this they can take a period of up to 50 weeks' maternity/adoption leave. This means that a mother/primary adopter who ends their maternity/adoption leave at the earliest opportunity could share up to 50 weeks' SPL with their partner.

A mother/primary adopter who is not entitled to Maternity Leave (e.g. an agency worker, casual worker or not in work) may still be entitled to pay. This could be Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA). These are paid for 39 weeks. As above, the mother/primary adopter must take SMP/SAP/MA for a compulsory period of two weeks immediately after the birth or placement of the child. If the mother/primary adopter ends their period of pay before the 38th week of pay, the father/partner may be entitled to up to 50 weeks of Shared Parental Leave, some of which may be paid. The amount of Shared Parental Leave available to the father/partner is calculated by deducting from 52 weeks the number of weeks of SMP, SAP or MA taken by the mother/primary adopter.

4.2. Eligibility to Shared Parental Leave

It is the employee's responsibility to prove that they are eligible for SPL and ShPP. Employees can check their eligibility for SPL and ShPP via the Gov website: <https://www.gov.uk/shared-parental-leave-and-pay-employer-guide/overview>. To be eligible for SPL both individuals must share the main responsibility for the care of the child at the time of the birth/placement for adoption.

Additionally an employee seeking to take SPL must satisfy each of the following criteria:

- The mother/primary adopter of the child must be/have been entitled to statutory maternity/adoption leave. If not entitled to statutory maternity/adoption leave, they must be/have been entitled to statutory maternity/adoption pay or maternity allowance.
- The mother/primary adopter must have ended, or given notice to end, any maternity/adoption entitlements via the 'Curtailment of Maternity/Adoption Leave and/or Pay' form.
- The employee must still be working for the Town Council at the start of each period of SPL.
- The employee must pass the 'continuity test', which requires them to have a minimum of 26 weeks' service at the end of the 15th week before the child's expected due date/matching date;
- The employee must correctly notify the Town Council of their entitlement and provide evidence as required.
- The employee's partner must meet the 'employment and earnings test'.

This requires them to have in the 66 weeks before the week of the baby's due date/week they're matched with their adopted child to:

- have been working for at least 26 weeks (they don't need to be consecutive)
- have earned at least £390* in total in 13 of the 66 weeks (add up the highest paying weeks, they don't need to be consecutive)

*This is a statutory amount and is subject to annual review

5. Shared Parental Pay

5.1. Entitlement to Shared Parental Pay

The total amount of pay to which employees may be entitled will depend upon how much Statutory Maternity/Adoption Pay or Maternity Allowance the mother/primary adopter has been paid at the date when their maternity/adoption leave or maternity/adoption pay period ends. The principle is that any pay (SMP/SAP/MA) not taken can be converted into Shared Parental Pay as long as the person wanting to take this is eligible.

SMP/SAP/MA is paid for 39 weeks. A mother/primary adopter who is entitled to this must take two weeks' of pay during the compulsory two week period immediately after the birth/placement. The mother/primary adopter may choose to end their maternity/adoption pay early at some point after this. In this case any paid weeks not taken as SMP/SAP/MA (as long as there are at least two weeks' pay remaining) may be taken as Shared Parental Pay (ShPP). If the mother/primary adopter took the minimum amount of SMP/SAP/MA, this would therefore enable 37 weeks' of Shared Parental Pay to be taken.

Any Statutory Shared Parental Pay due during shared parental leave will be paid at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.

Eligibility for statutory shared parental pay (ShPP)

It is the employee's responsibility to prove that they are eligible for SPL and ShPP. Employees can check their eligibility for SPL and ShPP via the Gov website: <https://www.gov.uk/shared-parental-leave-and-pay-employer-guide/overview>

For employees to be eligible for ShPP, both parents must each meet certain eligibility requirements.

Mother's/primary adopter's eligibility for statutory shared parental pay:

The mother/primary adopter is eligible for ShPP if they:

- Have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth/placement and remain in continuous employment with his/her employer until the week before any period of shared parental pay that they get;
- Have normal weekly earnings for a period of eight weeks ending with the 15th week before the expected week of childbirth/placement of at least the Lower Earnings Limit for national insurance contribution purposes;
- Have, at the date of the child's birth/placement, the main responsibility, apart from the partner, for the care of the child;
- Are absent from work and intend to care for the child during each week in which they receive statutory Shared Parental Pay; and
- Are entitled to Statutory Maternity/Adoption Pay in respect of the child, but the maternity/adoption pay period has been reduced.

In addition, for the mother/primary adopter to be eligible for ShPP their partner must:

- Have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- Have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- Have earned at least £390 in total in 13 of the 66 weeks (add up the highest paying weeks, they don't need to be consecutive).

Partner's eligibility for statutory shared parental pay:

The partner is eligible for ShPP if they:

- Have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remain in continuous employment with their employer until the week before any period of shared parental pay that they get;
- Have normal weekly earnings for eight weeks ending with the 15th week before the expected week of childbirth of at least the Lower Earnings Limit for national insurance contribution purposes;
- Have, at the date of the child's birth/placement, the main responsibility, apart from the mother/primary adopter, for the care of the child; and

- Are absent from work and intend to care for the child during each week in which they receive statutory shared parental pay.

In addition, for the partner to be eligible, the mother/primary adopter must:

- Have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- Have earned at least £390 in total in 13 of the 66 weeks (add up the highest paying weeks, they don't need to be consecutive)
- Have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child; and be entitled to statutory maternity pay or maternity allowance in respect of the child, but the maternity pay period or maternity allowance period have been reduced.

6. Requesting Shared Parental Leave

An employee considering taking SPL is encouraged to contact the Town Clerk to arrange an informal discussion as early as possible regarding their potential entitlement.

Once an employee has checked that they are eligible for SPL and/or ShPP, they should then complete a 'Notice of Entitlement and Intention' form which should then be given to the Town Clerk.

Before SPL can begin the mother/primary adopter must end their maternity/adoption leave and/or pay entitlement. Therefore if the employee is the mother/primary adopter then they must also complete the 'Curtailed of Maternity/Adoption Leave and/or Pay' form.

6.1. Requesting Further Evidence of Eligibility

The Council may request, within 14 days of receiving the 'Notice of Entitlement and Intention' form being given:

- The name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead).
- In the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth).
- In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

In order to be entitled to Shared Parental Leave, the employee must produce this information within 14 days of the employer's request.

6.2. Booking Shared Parental Leave

In addition to notifying the employer of entitlement to SPL/ShPP via the 'Notice of Entitlement and Intention' form, an employee must also give notice to take the leave. In many cases, notice to take leave will be given at the same time as the notice of entitlement to SPL.

Requests for leave should be made via the 'Period of Shared Parental Leave Notice'.

The employee must book leave by giving the correct notification at least eight weeks before the date on which they wish to start the leave and, if applicable, receive ShPP.

Eligible employees have the right to submit up to three notifications specifying leave periods they are intending to take.

Each period of leave may consist of either a) a single period of weeks of leave; or b) two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave.

Leave must be taken in complete weeks but can start on any day of the week.

Periods of Shared Parental Leave can be taken either at the same as or at different times to leave taken by their partner.

The father/partner can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as they cannot take paternity leave or pay once SPL has been taken).

SPL must be taken during the child's first year of birth/placement and must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption will be lost.

6.3. Continuous Periods of Shared Parental Leave

If the employee submits a 'Period of Shared Parental Leave Notice' requesting one continuous period of leave, they will be automatically entitled to take that period of leave.

6.4. Discontinuous Periods of Shared Parental Leave

The employee may submit a Period of Shared Parental Leave Notice requesting discontinuous periods of leave. For example, the mother and partner could request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

If the employee submits a request for a period of discontinuous of leave, the Town Council can, in the two weeks beginning with the date the period of leave notice was given:

- Consent to the pattern of leave requested;
- Propose an alternative pattern of leave; or
- Refuse the pattern of leave requested.

If agreement is reached within those two weeks, the employee is entitled to take the leave on the dates agreed.

If no agreement has been reached within that two-week discussion period, the employee is entitled to take the leave as one continuous period of leave. In that event, the employee must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. The employee must notify the Town Council of that date within five days of the end of the two-week discussion period. If the employee does not choose a start date within five days of the end of the two-week discussion period, the period of continuous leave will start on the date of the first period of leave requested in the period of leave notice.

Alternatively, if the Town Council has refused the request or no agreement has been reached during the two-week discussion period, the employee may withdraw a period of leave notice requesting discontinuous periods of leave.

The employee can withdraw a Period of Shared Parental Leave Notice at any time on or before the 15th day after the period of leave notice was given. A notice for discontinuous leave that has been withdrawn before it is agreed does not count towards the total number of requests for leave that an employee can make.

6.5. Arranging a Meeting to Discuss Leave Requests

Any meetings arranged to discuss leave requests and/or entitlement to SPL should take place in private and be arranged in advance. If the initial date is problematic then another date will be arranged if possible. If an alternative date cannot be arranged then the meeting may be held over the telephone.

At the meeting the employee may, if they wish, be accompanied by a work colleague or trade union representative.

The purpose of the meeting is to discuss in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for discontinuous leave the discussion may also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the Town Council, and what the outcome may be if no agreement is reached.

A response to the SPL request should be given no later than the 14th day after the request was made.

6.6. Variations to Arranged Shared Parental Leave

The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the Town Council, in writing at least eight weeks before the date of the variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification and will reduce by one the employee's right to book/vary leave.

However a change as a result of a child being born early, or as a result of the Town Council requesting it be changed, and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the Town Council.

7. Fraudulent Claims

Where there is a suspicion that fraudulent information may have been provided or where the Council has been informed by the HMRC that a fraudulent claim was made, the Town Council can investigate the matter further in accordance with their usual investigation and disciplinary procedures, and also without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

8. Pension

Employee Contributions During Shared Parental Leave and Maternity/Paternity/Adoption Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Maternity Leave, Ordinary Adoption Leave and Paternity Leave, when the employer continues to make pension contributions;
- Periods of unpaid Shared Parental Leave, Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Shared Parental Leave and Maternity/Paternity/Adoption Leave

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any period of unpaid Shared Parental Leave, unpaid Additional Maternity Leave or unpaid Additional Adoption Leave. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town/Parish Council voluntarily agrees to contribute to the APC.

9. Continuous Service

Any periods of Shared Parental Leave will count as continuous service for statutory and contractual purposes.

10. Leave During Shared Parental Leave

10.1. Annual Leave and Bank/Public Holidays

Annual leave and bank/public holidays continue to accrue during SPL. Where bank/public holidays fall during a period of SPL, the employee will be entitled to a day's holiday (pro rata if part-time) in lieu of each bank/public holiday.

10.2. Carry Forward of Annual Leave and Bank/Public Holidays

The employee and their line manager should review annual leave arrangements prior to SPL being taken. Where taking SPL means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

10.3. Treatment of Leave Where an Employee Changes Their Hours after Shared Parental Leave

If an employee changes their hours after taking SPL, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated based on their new hours.

11. Returning To Work

11.1. Shared Parental Leave In Touch Days (SPLIT)

Employees can work up to 20 days without bringing their Shared Parental Leave to an end. These are called Shared Parental Leave In Touch (SPLIT) days.

Working for part of a day will count as one day. An employee will not lose any SPL or ShPP for working up to 20 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace. SPLIT days are optional - both the employee and your employer must agree to them. Managers need to ensure that they keep in touch with their employees whilst they are on Shared Parental Leave. If you do not wish to be contacted, please notify your manager and/or the Town Clerk. Any relevant correspondence will be sent to all employees whilst they are on Shared Parental Leave.



Absence Management Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol18/VAug2021

1. Introduction

The Council is committed to providing effective, high quality service to all its customers and to optimising the contribution of all employees. As part of this aim, it is essential that all employees are committed to maximising attendance.

The Council is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return, the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate, and to attend work when fit to do so.

The Council recognises that genuine medical grounds will occasionally result in employee absence. It is the Council's policy to treat all such sickness absence in a fair, sensitive, and consistent manner across all areas of the workforce.

The Council must balance the sensitive management of genuine individual sickness against its need to be publicly accountable for its resource allocation and, as such, cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short term sickness or extended periods of absence as appropriate.

1.1. Aims

In order for the Council to meet its responsibilities, it will ensure that:

- It provides a supportive environment for those employees affected by ill-health;
- Managers and employees adhere to this policy and procedure; and
- Levels of sickness absence are the subject of routine monitoring.

1.2. Responsibilities

The onus for attending work on a regular basis and for reporting absence in accordance with the Council's agreed procedures rests with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The overall responsibility for recording, monitoring, and managing absence on a day-to-day basis lies with the Town Clerk. It is therefore essential that they ensure that all employees are aware of the Council's Absence Management Policy and Procedures.

1.3. Reporting

Employees who are unable to work due to illness/injury must contact their Line Manager as soon as possible or arrange for someone else to do this on their behalf. This should be no later than half an hour after the specified time of commencement of work on the first day of absence or the nearest working day. The employee should provide some indication of:

- The nature of the absence;
- The date the injury/illness began (including weekends and holidays);
- The expected duration of the absence; and
- Whether there are any immediate work commitments that need completing/reassigning during the absence.

If their Line Manager is unavailable, the employee should ensure that contact is made with the next appropriate person (as designated by their Line Manager) or the payroll team via the Town Hall reception.

The employee must maintain contact with his or her Line Manager during any period of sickness absence lasting longer than one day, so that the Line Manager is aware of any progress and the expected date of return to work. If the employee is unable to do so, they must arrange for someone else to do this on their behalf.

Failure to follow the sickness reporting process might lead to the absence from work being considered as unauthorised, resulting in loss of pay and possible disciplinary action.

2. Certification

Where the absence is for a period of up to seven days (inclusive of weekends) and not covered by a doctor's certificate, the employee will be asked to complete a self-certification form on their return to work.

If the absence exceeds seven days – and the employee has not already done so – the employee should provide a doctor's certificate for the remainder of the absence. The employee will need to ensure that there is always a current certificate. The doctor's certificate ('fit note') will include whether or not the employee needs to see a doctor again before returning to work.

If the doctor's certificate states that the employee "may be fit for work", the employee should inform their Line Manager immediately. They will discuss with the employee whether there are any additional measures that may be needed to facilitate the return to work, taking into account the doctor's advice. This may take place at a Return to Work Interview or an Absence Review Meeting. If appropriate measures cannot be taken, the employee will remain on sick leave and their Line Manager will set a date to review the situation.

3. Return to Work Meetings

When the employee returns to work after any period of absence, their Line Manager will arrange to meet with them. This meeting will occur on the first day back or as soon as possible. The purpose of this meeting is:

- To provide an opportunity for the employee's Line Manager to check that the employee is fit enough to return to work;
- To give the employee an opportunity to voice any concerns that they may have and/or to identify any domestic, welfare, or work-related problems in an appropriate forum;
- To ensure that the employee is aware of work-related matters that have occurred during their absence; and
- Fill out the Sickness Declaration Form.

4. Miscellaneous

It is important that the employee complies with these procedures so that:

- The Council can be aware of any potential problems and provide assistance to the employee where necessary; and
- Any sick pay to which the employee would otherwise be entitled is not withheld or refused.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality at all times, in accordance with the provisions of prevailing Data Protection legislation. The employee is entitled to access their records on request.

5. Frequent Intermittent Absence

In addition to the Return to Work interviews after all periods of absence, the Council will institute a more formal review of attendance records and reasons for absence with an employee if there has been either (a) four episodes of absence or (b) a total of 10 days' short-term sickness absence within any period of 12 months. The relevant manager will arrange a sickness review meeting to meet with any employee whose absence record matches or exceeds the above criteria.

During the meeting, the manager should draw the employee's attention to their poor attendance record and the problems that their absences are causing for the Council and other employees. Where no underlying medical condition is disclosed, the employee will be advised that their attendance record will be monitored (over a period of not less than 3 months) and that significant improvement will be required. In addition, employees will be warned that if no such improvement is forthcoming, serious consideration will be given to reviewing their employment situation. This will be confirmed in writing.

Return to Work interviews will continue to be carried out following any absences that occur during this monitoring period. These interviews afford the manager the opportunity to remind the employee of the Council's concerns.

If no significant improvement in attendance is demonstrated after the period of monitoring has elapsed, a further Sickness Review Meeting will be arranged with the Town Clerk and Departmental Manager. At this meeting, the employee will once again be reminded of the problems caused by the absences and asked if they wish to disclose any underlying medical condition or problem of which the manager is unaware. If such a condition is disclosed, a medical referral should be arranged. Where no underlying medical condition exists, the employee should be told that their attendance record will be subject to a further period of monitoring (of not less than 3 months) and that their employment may be terminated if the required improvement is not effected. Employees have the right to be accompanied to this meeting by a trade union representative or a work colleague.

Employees whose levels of attendance improve satisfactorily during periods of informal or formal monitoring will be reminded that they will be expected to maintain these levels of attendance. Failure to do so will result in further monitoring or the initiation of formal action.

Where an employee's attendance has not improved to the required level, an Attendance Hearing will be arranged (see Section 8) to consider whether or not the employee should be dismissed.

6. Long-Term Absence

All cases of long-term absence will be treated sympathetically and every assistance will be given to the employee to return to work. The Council will maintain contact with the employee and advise them that they should keep the Council informed of developments relating to their medical condition. The Council will hold Sickness Review Meetings with the employee during their absence, as appropriate, to keep up to date, review the on-going absence, and offer support to the employee where appropriate.

In order to ensure that the Council has access to guidance and advice in respect of the best course of action to follow in relation to such cases of absence, employees who have been absent for a continuous period of four weeks might, depending on the nature of the absence in question, be referred to the Council's Occupational Health Physician. Where the Occupational Health Physician makes a recommendation that might affect the employee's continued employment, the relevant manager will hold a Sickness Review Meeting with the employee to discuss the alternative options. Employees may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

Where a return to work following a period of prolonged absence might be facilitated by temporary redeployment or phased re-introduction (e.g. job sharing or part-time working) an employee can discuss these options with their manager and, if such measures are appropriate, the Council will ensure that the support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

In certain cases, the Occupational Health Physician might find that an employee is unfit to perform a particular job but fit enough to undertake other types of work. In such cases, full consideration will be given to the possibility of redeployment into alternative positions. Consideration will also be given to redeployment in cases where work in a particular place poses problems with attendance.

Where an employee remains absent and a return to work is not foreseeable within a reasonable timescale, the Town Clerk will arrange a Final Sickness Review meeting (see Section 7), which may lead to an Attendance Hearing (see Section 8) to consider dismissal.

7. Final Sickness Review Meeting

Prior to dismissal being considered for either frequent intermittent absence or long-term absence, the Town Clerk will meet with the individual to explore whether there are any reasonable adjustments that could be made to enable an employee to remain employed.

Termination of employment may take place where:

- An employee is declared permanently unfit for work;
- An employee is declared medically unfit for their work and alternative employment cannot be found;
- A decision has been taken that the service can no longer tolerate a high level of absence; or
- A decision is taken, within the Council's disciplinary process, that an employee has wilfully abused the sickness absence/payments provisions or absented themselves without permission.

8. Attendance Hearing

To reach a decision about whether dismissal is appropriate, an Attendance Hearing will be arranged. The employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.

The Hearing Panel will comprise of three members of the Town Council, who will make the decision. The Town Clerk or relevant manager will attend to outline the history of absence and any relevant steps taken and advice received.

All paperwork relating to the hearing will be circulated 5 days in advance of the hearing to all parties attending.

Once the Panel has considered the manager's and employee's cases, and all other relevant information, it will adjourn to make a decision.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

1. The Panel's decision:
 - a. If a warning has been issued the timescale for this and the level of improvement required;
 - b. If the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this; or
 - c. If the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information; and
2. The employee's right of appeal.

9. Appeals

Employees have the right to appeal against any decision to issue a formal warning or dismissal under this procedure. If an employee wishes to appeal, they should write to the Town Clerk setting out the grounds of their appeal. This must be done within 10 days of the date of the letter informing them of the outcome of the Attendance Hearing.

Appeals will be heard by a separate panel of members, who will also normally be part of the Personnel Committee. An appeal hearing will be held where the employee can present their appeal. The Chair of the original panel will also attend to explain the original decision. Witnesses may be called.

Once the Appeal Panel has considered both the employee's appeal and the Hearing Chair's case, and considered all other relevant information, it will adjourn to make a decision.

The decision of the Appeal Panel is final and will be confirmed to the employee in writing within 5 working days. There is no further right of Appeal.

10. Personal, Domestic, Or Work-Related Problems

Where an employee reveals that their absence has been a consequence of personal, domestic, or work related problems, the relevant manager should endeavour to discuss with them any relevant details that they wish to disclose. Although an employee may have genuine concerns about revealing sensitive or personal information, they should be reminded that such matters will be treated confidentially and that the Council cannot assist them if it is not made aware of the problem. If an employee wishes to discuss matters with someone other than the relevant manager or Town Clerk, the Chair of the Finance and Administration Committee can be contacted for a confidential interview.

Once the problem has been clearly identified, appropriate assistance can be offered to the employee. In some circumstances, special leave, temporary adjustments in working arrangements, or referral to specialist agencies may be granted.

11. Alcohol/Drug Dependency

Where an employee discloses that their absences are a consequence of alcohol- or drug-related problems, they will be encouraged to seek help and treatment voluntarily through the Council's Occupational Health Service or through resources of their own choosing. Employees may be granted, if necessary, leave to undergo treatment and any such leave will be regarded as sick leave within the terms of the Council's sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should an employee refuse or discontinue any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through the Council's Disciplinary Procedure.

12. Welfare

If, as a consequence of medically related absence, the relevant manager has any concerns about an employee's ability to undertake the full range of duties and responsibilities associated with their post, consideration should be given to suspending them with pay, or finding alternative duties whilst medical advice is sought from a Occupational Health Unit.

13. Monitoring

Monitoring is an important part of sickness absence. In order for reports to be issued to managers, it is important that all absence from the workplace is reported. All signed absence forms should be returned as soon as possible after the employee's Return to Work Interview has been conducted. The Town Clerk will ensure that an absence history is maintained for each employee. These records will provide the base data for the compilation, at regular intervals, of statistics showing the level of sickness absence across the Council.

The sickness monitoring system will also enable the Town Clerk to identify individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However, the manager should view such notifications as a secondary means of identifying problems or potential problems.

Managers should ensure that they maintain comprehensive records at all times for each employee in relation to contact during and immediately following periods of sickness absence. These details should be maintained on the employee's personal file and should be treated with sensitivity and confidentiality at all times. Employees will be entitled to access these records on request.



Disciplinary Procedure

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol19/VAug2021

1. Introduction

This procedure is designed to help and encourage all employees to achieve and maintain acceptable standards of conduct and job performance. The aim is to ensure consistent and fair treatment for the individual. This procedure sets out the framework for resolving issues relating to misconduct and unsatisfactory performance in accordance with the Employment Rights Act 1996, Human Rights Act 1998, and the ACAS Code of Practice on Disciplinary Procedures.

This procedure applies to all employees except where it conflicts with a contractual or statutory requirement, which takes precedence.

2. General Principles

The procedure is not a substitute for good management practices and should only be invoked when initial attempts to improve conduct have been made following discussions between the employee and their manager. However, where there has been gross misconduct or a serious breach of disciplinary rules, the formal procedure should be actioned immediately.

No disciplinary action will be taken against an employee until the circumstances have been fully investigated.

At every stage in the procedure, the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.

The employee has the right to be represented at disciplinary hearings and appeals.

In all instances of alleged misconduct, the employee will be given at least 5 working days' notice of the requirement to attend a hearing or appeal. Should the employee fail to attend without an acceptable reason, then the Chair of the hearing or appeal may proceed in the employee's absence.

Any disciplinary action taken will depend on the nature of the offence, the past recorded behaviour of the employee concerned, the consequence to the Council of the offence, and any explanation presented by the employee.

Employees have the right to appeal against any disciplinary warnings and dismissal.

3. Roles And Responsibilities

Normally, the Line Manager or the Town Clerk will consider minor disciplinary issues and resolve them, if they can, without recourse to the formal procedure.

Allegations of more serious misconduct or where a previous warning has been given but the required improvement has not been made should immediately be referred to the Town Clerk who will then be responsible for nominating an Investigating Officer. If the misconduct relates to the Town Clerk, this should be referred to the Personnel Committee.

The Investigating Officer who carries out an investigation should not participate in any subsequent decision to take action under the procedure. Likewise, the Officer hearing the case should not be involved in the investigation beforehand. It is important that respective roles are identified at an early stage so that those roles are not compromised. The Investigating Officer need not be the employee's supervisor or Line Manager, although this would normally be the case.

Departmental Managers have the right to suspend an employee. Only the Town Clerk can provide verbal or written warnings for minor misconduct.

4. Representation

Employees have the right to representation at hearings and appeals relating to any stage of the formal procedure. This can be a trade union representative or a work colleague.

Representatives have the right to address the hearing or appeal. They may also ask questions and present the employee's case. However, they have no right to answer questions on the employee's behalf.

5. Informal Procedure

5.1. Informal Advice And Guidance

Where a minor breach of acceptable/established standards of conduct occurs, which does not justify formal disciplinary action, the Line Manager will advise the employee concerned of the conduct and the standard expected in the future. In many cases, this will provide sufficient encouragement for the employee not to commit further acts of misconduct.

The employee will be offered guidance, support, and additional training – where appropriate – to achieve the necessary standards. Representation will not normally be appropriate. Managers should make a note of such informal advice and guidance and should set out in writing the required improvements and standards of conduct that are expected in the future. Records of informal advice/counselling should be kept on employee's personal files.

The formal procedure will apply when:

- Previous informal advice or warnings have proved ineffective;
- The allegation is of a serious nature; or
- A number of minor allegations are made which taken together constitute a serious breach of discipline.

6. The Formal Procedure

6.1. Suspension

In some circumstances, the Town Clerk and/or a Departmental Manager, may consider suspension with pay, pending further investigation or until the disciplinary hearing takes place. Suspension may be appropriate where:

- Cases potentially involve gross misconduct;
- Relationships have broken down; or
- There is a risk to the employer's property or to other people.

An employee should be advised that suspension in itself does not constitute disciplinary action.

An employee should be advised of the reasons for suspension. The period of suspension should not normally last for more than 20 working days. However, this period can be extended where necessary.

The decision regarding whether or not suspension is necessary can be reviewed at any time during the disciplinary process.

6.2. Investigation

Before any decision can be made about whether or not a disciplinary hearing is necessary, an investigation must take place. The Town Clerk (or the Personnel Committee, in relation to matters concerning the Town Clerk) will appoint an appropriate Investigating Officer – who could be an external adviser – who will report back with their findings and make recommendations as to whether a disciplinary hearing should be convened.

The responsibilities of the Investigating Officer are to collect evidence by interviewing any relevant witnesses and gathering all documentation. An Investigatory Interview will normally be held with the employee concerned whereby the employee is given 5 working days' notice in writing, outlining the general nature of the allegation. The purpose of the interview is to gather the employee's initial response to the allegations and to identify whether any further investigation is needed.

For the benefit of the employee and the Council, any investigation must be concluded within a reasonable timescale. If there is a delay in completing the investigation, it is the responsibility of the Investigating Officer to regularly update the employee or their representatives on the progress of the investigation.

Once the Investigating Officer has gathered all the relevant facts and reviewed the evidence, a report should be drafted to the Town Clerk (or Personnel Committee) recommending one of the following:

- Take no further action and inform the employee accordingly;
- Advise the arrangement of counselling, training, extra supervision, or written advice (as appropriate); or
- Arrange a disciplinary hearing.

6.3. Arranging A Hearing

If, following the recommendations of the Investigating Officer, the Town Clerk concludes that a hearing is required then the necessary arrangements should be made by the Town Clerk. The employee will be given at least 5 working days' notice in writing. The letter should include a clear written statement of the allegation and should enclose any documentary evidence being relied upon and a reminder of the employee's right to be represented.

The Investigating Officer is responsible for presenting the case and making arrangements for any witnesses that he or she relies upon to attend the meeting.

The employee is responsible for arranging any representation they choose to have and any witnesses that they may wish to call. Details of any witnesses the employee intends to call and a copy of all documents that the employee may wish to refer to at the hearing must be submitted to the Investigating Officer at least 3 working days prior to the hearing.

6.4. Conducting A Hearing

The Panel for a hearing will normally comprise of the Town Clerk (or three members of the Personnel Committee, in relation to matters concerning the Town Clerk) and an independent HR representative to advise, as appropriate.

The objective is:

- To hear the evidence in respect of the allegation, the employee's response, and to decide whether or not the allegation is substantiated; and
- If the allegation is substantiated, to determine the disciplinary sanction to be applied in light of the seriousness of the offence and having regard to previous relevant disciplinary history.

The procedure to be followed is:

1. Introduction of the Panel members and outline of their roles;
2. Statement of the purpose of the hearing and the allegation;
3. Presentation of the case by the Investigating Officer with witnesses called as necessary;
4. Questions by employee or their representative;
5. Questions by the Panel;
6. Presentation of the case by the employee or their representative with witnesses called as necessary;
7. Questions from Investigating Officer;
8. Questions from Panel;
9. Concluding statement by Investigating Officer;
10. Concluding statement by employee or their representative;
11. Adjournment of the Panel to make their decision;
12. The Panel reconvenes and the employee/representative is informed of the decision and, if necessary, their rights of appeal.

Requests for an adjournment can be made at any stage and it is up to the Chair to decide whether or not a request should be granted.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

- The Panel's decision;
- The length of time that any warning will be active for;
- The expected improvement in conduct;
- Any assistance that will be provided to achieve this; and
- The employee's right to appeal.

6.5. Levels Of Disciplinary Action

In determining the appropriate disciplinary action, regard should be given to the employee's previous record, the gravity of the offence, and any explanation given.

Although the procedure implies a sequential approach, there may be certain circumstances where the matter needs to be considered immediately under Stages 2, 3, or 4.

Stage	Outcome	Description
Stage 1	Oral Warning	For a minor offence, a formal verbal warning (confirmed in writing) making it clear that further misconduct will render the employee liable to further disciplinary action including more severe consequences.
Stage 2	First Written Warning	For a more serious offence or where a previous warning to the employee has not resulted in the required improvement to their conduct.
Stage 3	Final Written Warning	For a sufficiently serious offence, which might warrant only one written warning but is insufficiently serious to justify dismissal, or where previous warnings have been ineffective.
Stage 4	Dismissal with notice	For an act or acts of misconduct, other than gross misconduct, by an employee who is under a written or final written warning. The employee will be liable to dismissal with notice or pay in lieu of notice.
	Dismissal without notice	In cases where gross misconduct is established, the employee will be liable to summary dismissal, i.e. without notice or pay in lieu of notice.

6.6. Length Of Warnings

Records of informal meetings and formal warnings will be kept on employee's personal files. An oral warning will be live for 6 months and written warnings for 12 months from the date of the disciplinary hearing. Final written warnings will be live for 2 years.

7. The Right Of Appeal

An employee has the right to appeal against disciplinary action resulting in a warning or their dismissal. Three members of the Personnel Committee will hear the appeal, providing that they have had no previous involvement in the matter, assisted by an independent adviser, if appropriate.

An employee who wishes to appeal must do so in writing to the Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk). This must be done within 10 working days of the disciplinary hearing informing them of the disciplinary action taken. The appeal letter must set out the grounds for the appeal, normally under one of the following headings:

- The severity of the disciplinary action;
- The findings of the Panel on a point of fact which is pertinent to the decision of the hearing; and
- A failure to adhere to the disciplinary procedure.

7.1. Arranging An Appeal

The date and time of the appeal will be organised by the Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk). It is the responsibility of each side to prepare themselves for the appeal, including arranging for any witnesses to attend.

The Chair of the original Panel and the employee or their representative will, where possible, agree papers for submission to the appeal 5 days prior to the hearing.

7.2. Conducting An Appeal Hearing

The objective is:

- To review the decision of the disciplinary hearing and decide whether that action is warranted or not; and
- If the action is not warranted, to determine what action if any is appropriate.

In doing so, the Appeal Panel will have regard to seriousness of the offence and any previous relevant disciplinary history.

The procedure to be followed is:

1. Presentation of the appellant's case, including calling any witnesses;
2. Questions by the Manager to the appellant and their witnesses;
3. Presentation of the case by the Manager (the Chair of the previous hearing) who took the disciplinary action, including calling any witnesses;
4. Questions by the appellant to the Manager and their witnesses;
5. Questions by the Appeals Panel to both parties and their witnesses;
6. Concluding statements by the parties. No new information should be introduced at this stage and the appellant should have the opportunity to sum up last;
7. Adjournment of the Panel to make their decision;
8. The appeal is reconvened and both parties are informed of the decision;
9. Written confirmation of the Appeals Panel's decision within 5 working days of the hearing.

The Appeals Panel has the right to call its own witnesses should it consider this to be of assistance in making its decision.

8. Trade Union Officials

In normal circumstances, no action will be taken against an officer of a recognised trade union until the matter has been discussed with a full-time officer of that union.

9. Disciplinary Rules

It is difficult to define all the acts of misconduct that might lead to disciplinary action. As a general principle, a test of reasonableness would be applied, i.e. would a reasonable person be aware that disciplinary action would result from a certain act or omission?

The following are examples of the types of conduct that are unacceptable and might lead to disciplinary action. The list is not exhaustive and other behaviour not listed may lead to disciplinary action:

- Poor time-keeping/ attendance;
- Unjustifiable absence from work;
- Waste, loss or damage of Council property through failure to take due care;
- Negligence or failure in performance of duty;
- Inappropriate or unauthorised use of e-mail, IT, or telephone facilities; or
- Being under the influence of alcohol or drugs.

9.1. Types Of Gross Misconduct

Unacceptable conduct, which may be regarded as gross misconduct, is likely to lead to an employee's summary dismissal. This means dismissal without notice and occurs when the employment relationship between the Council and employee, and the trust which is inherent in that, is irrevocably broken.

The list below gives examples of matters likely to be regarded as gross misconduct and is not exhaustive:

- Refusing to follow reasonable management instructions;
- Theft from the Council, its Members, employees, or the public;
- Physical assault or verbal abuse;
- Fraud or deliberate falsification of records;
- Falsification of qualifications;
- Serious negligence which causes unacceptable loss, injury, or damage;
- Serious acts of insubordination;
- Serious breach of confidence;
- Use of privileged information for personal gain;
- Malicious damage to the Council's property;
- Sexual misconduct at work;
- Discrimination, victimisation, or harassment;
- Serious breaches of safety rules;
- Serious incapability through alcohol or drugs;
- Accessing or distributing pornography on the Council's IT facilities.

10. Training

Appropriate training will be given to the Town Clerk or any Members who might be involved in disciplinary or appeals meetings to ensure that they fulfil their responsibilities under this procedure.



Grievance Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol20/VAug2021

1. Policy Statement

The Council recognises that individual employees or groups of employees may, from time to time, feel aggrieved about an aspect of their employment and accepts that each employee has the right to raise this grievance and to expect that management will consider it and respond.

The purpose of the accompanying procedure is to provide a framework for dealing promptly and fairly with such grievances. The aim is to resolve grievances as near as possible to their point of origin.

Matters appropriately dealt with under the Council's grievance procedure include all questions relating to the individual rights of employees in respect of their employment other than:

- Grievances that have already been considered in accordance with the procedure;
- Grievances arising from a disciplinary or capability process in which the employee is already involved and where there is an appeals procedure in place;
- Grievances in respect of issues over which the Council has no control. e.g. external legislation; and
- Grievances that are already the subject of a collective grievance or dispute.

The timescales shown in the accompanying procedure may be altered by mutual agreement.

The nature and number of grievances raised in accordance with the accompanying procedure will be monitored annually by the Town Clerk.

This policy and the accompanying procedure will be the subject of periodic review.

Responsibility for conducting this review will rest with the Town Clerk.

2. Procedural Guidelines

2.1. Informal Resolution

Where an employee is aggrieved about any matter relating to their employment, they should raise the matter informally with their Departmental Manager as soon as possible and, other than in exceptional circumstances, within **twenty working days** of the incident or event. However, employees will be permitted to raise as part of a grievance a series of directly related incidents having a cumulative effect.

The Manager should consider and seek to resolve the grievance within ten working days. Whether or not this proves possible, the Manager should in every case inform the employee of the decision and, if appropriate, any action taken.

Employees may wish to seek the advice of a trade union representative or colleague prior to raising a grievance at this informal level.

2.2. Formal Resolution

If the employee is not satisfied with the result of the informal process, they can take the matter up with the Town Clerk, in writing, stating the nature of the grievance. This should be done within **ten working days**.

The Town Clerk will arrange a meeting with the employee to discuss the grievance as soon as possible and normally within **ten working days**. If the Town Clerk hearing the grievance determines that further investigation is required – having listened to the employee’s submission – the meeting will be adjourned for a period during which time the Town Clerk or an appropriate investigator will conduct any necessary research, including, if appropriate, liaising with other parties. The investigation will be concluded as soon as reasonably practicable.

It is not expected that other parties would attend the reconvened hearing. However, if it is determined by the Town Clerk that their contributions would facilitate consideration of the grievance they will be asked to make themselves available, in order that they may respond to any matters raised by the aggrieved individual during the course of the hearing.

A formal written response to the grievance should be issued within 5 working days of either the initial or subsequent grievance hearing as appropriate.

2.3. Appeal

If the employee is still aggrieved, there is a right of appeal to a panel of members of the Personnel Committee. The notice of appeal should be submitted in writing within **ten working days** of receipt of the formal written response issued by the Town Clerk. The Appeal Panel shall consider the appeal within **twenty working days** of receipt of the written appeal.

There is no further right of appeal.

2.4. Grievances Relating To The Town Clerk

If the grievance relates directly to the action or omission of the Town Clerk, the grievance should be submitted in writing directly to the Chair of the Personnel Committee who will seek HR advice as appropriate, make arrangements for an investigation and respond to the grievance as outlined above.

2.5. Representation

An individual raising a formal grievance may be accompanied throughout the process by a trade union representative or colleague of their choice and reasonable preparation for the hearing will be allowed.



Capability Procedure

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol21/VAug2021

1. Introduction

This procedure is used to support, enhance, and improve the performance of employees. This procedure sets out a framework for resolving issues relating to poor performance, in accordance with the Employment Rights Act 1996, Human Rights Act 1998, and the ACAS Code of Practice on Disciplinary Procedures. The procedure aims to ensure that consistent and fair treatment is given to all individuals.

2. Scope

Where there are issues of misconduct or of negligence, these will be dealt with under the Disciplinary Procedure. For matters of sickness, disability, or ill health, the Absence Management Policy will be used.

3. General Principles

The Procedure is not a substitute for good management practices. It should only be invoked when initial attempts to improve performance have been unsuccessful following discussions between the employee and their manager.

The employee must be given at least 5 working days' notice of the requirement to attend a formal review meeting or an appeal.

The employee has the right to be represented at formal review meetings or appeals.

In the event of a formal warning or a dismissal, the employee has the right of appeal.

4. Related Procedures

When using the procedure, it may be necessary to refer to the contents of other agreed documents such as:

- The Equal Opportunities Policy;
- The Grievance Procedure;
- The Absence Management Policy;
- Other conditions set out in the Staff Handbook.

5. Representation

Employees have the right to representation at hearings and appeals relating to any stage of the formal procedure. This can be a trade union representative, non-union employee representative, or a work colleague.

Representatives can take an active part in review meetings.

6. Action against A Trade Union Official

In normal circumstances no action will be taken against an officer of a recognised Trade Union until the matter has been discussed with a full-time officer of that union.

7. The Informal Procedure

The Departmental Manager (or Town Clerk in relation to a Departmental Manager; or Chair of the Finance and Administration in relation to matters concerning the Town Clerk) should deal with minor issues of poor performance in the first instance.

A meeting with the employee to discuss poor performance should be arranged and any problems or areas for concern should be raised by the Departmental Manager. Appropriate support and training should be offered to assist the individual towards meeting the required standards in the future. Realistic targets should be agreed with the individual and future expectations made clear by the Departmental Manager. The Manager will record the points discussed in the meeting and confirm this in writing to the employee along with the agreed plan to achieve acceptable levels of performance. A review meeting should be arranged within 2 months to assess whether the targets have been met and whether the performance is satisfactory.

In most cases, these meetings should provide sufficient guidance, support, and clarification of standards to rectify the situation.

However, the formal procedure will apply when:

- Previous informal advice or guidance has proved ineffective; or
- The performance is so poor that informal discussions are unlikely to help.

8. The Formal Review

If informal discussions have proved unsuccessful in raising performance levels to the standards set by the Departmental Manager then the formal procedure will be invoked. There are three stages to the formal procedure. The employee has the right of representation at each stage.

During each stage, the employee's performance will be monitored closely. The method of doing this will be made clear to them at the conclusion of each review meeting.

8.1. Stage 1: The Capability Review

The Capability Review should build on the informal discussions. It should be sufficiently specific so that the employee knows exactly what it is about their performance that is unsatisfactory and how they can improve to the required standard. The Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk) will carry out the Review in conjunction with the Departmental Manager.

The review has four main purposes:

1. To allow the Town Clerk to discuss with the employee: (i) the standards of work required; (ii) what improvement is necessary; (iii) how the employee can be helped to achieve them; and (iv) how improvement will be assessed and the timescale which must be reasonable.
2. To allow the employee to: (i) obtain a clear understanding of what is expected of them; (ii) give an explanation or comment on their work; and (iii) give their views on how the problem can best be tackled.
3. To allow the Town Clerk and the employee to explore other options, such as: (i) additional instruction, training, or personal development activity; or referral to occupational health, which may involve alternative action under the Council's Absence Management Policy. Please refer to the Absence Management Policy.
4. To make clear to the employee: (i) the timescale for improvement; (ii) how and by whom their work will be monitored during the review period; and (iii) the consequences if their work does not improve or if improvement is not maintained.

Ideally, standards of performance should be agreed between the Town Clerk and employee. However, in the absence of such an agreement, the Town Clerk must satisfy himself or herself that any targets set are reasonable and non-discriminatory. If training has already been given then its effectiveness should be reviewed and any further training and support agreed.

If the Town Clerk is satisfied at the conclusion of the review that there is a shortfall in performance, the employee will be issued with a formal warning and an action plan, including timescales, to achieve. It will also be made clear that failure to achieve the action plan will lead to the next stage of the formal procedure. The length of time given to improve will depend on the nature of the job and the performance gap but in normal circumstances it should not be more than 3 months. The Town Clerk should confirm the outcome of the meeting in writing to the individual within 5 working days.

8.2. Stage 2 – The Capability Review

If the employee fails to achieve the standards or the timescales set out in the action plan then Stage 2 of the procedure is invoked. This involves a further review based on the same structure as Stage 1.

Stage 2 of the Capability Review will be conducted by the Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk). If it is concluded that there is still a performance issue to be addressed, a further formal warning should be issued along with an action plan giving details of the standards of performance required and the timescales within which these must be achieved. The employee should be reminded that if the action plan is not achieved, then Stage 3 will be invoked. It needs to be made clear that Stage 3 may result in a decision to dismiss the employee. Again, the length of time given to improve will depend on the nature of the job and the performance gap but in normal circumstances should not be more than 3 months. A letter to confirm the outcome of the meeting should be sent to the employee within 5 working days, it should also explain the employee's right to appeal against any warning issued.

8.3. Stage 3 – The Final Capability Review

The Final Capability Review will be heard by three members of the Personnel Committee.

The Town Clerk who conducted Stages 1 and 2 should also be present to provide details of the previous review meetings and of the steps taken to encourage improvement in the employee's performance.

The employee will have the opportunity to respond and put forward any points they wish to be considered.

Consideration should be given to any alternatives to dismissal, such as redeployment or options of downgrading. However, this may not always be possible and will depend on each individual situation and the circumstances of the organisation.

The Panel must satisfy themselves that they have heard all of the relevant information and that the employee has been given sufficient opportunity to improve. If they consider that the employee's performance remains unsatisfactory, they must inform the employee that their employment is terminated on the grounds of capability or any alternatives to dismissal.

The employee's dismissal will be with notice or, if serving their notice period is not in the interests of the Council, they will receive pay in lieu of notice. The dismissal must be confirmed in writing within 5 working days, stating the reasons for it, and informing the employee of their right of appeal.

8.4. Levels Of Authority

Guidance is given here on the appropriate levels of authority, although alternative arrangements may have to be made on occasion.

Formal	Officer	Authority
Stage 1 & 2	Town Clerk	Formal warnings
Stage 3	Finance and Administration	Dismissal

8.5. The Right Of Appeal

In the event of a formal warning or dismissal, the employee has the right of appeal to the Finance and Administration Committee. The Appeal must be made in writing within 10 days of the date of the letter confirming dismissal.

Three members of the Finance and Administration Committee will hear the appeal, providing that they have had no previous involvement in the matter. They will be assisted by an independent adviser.

The appeal will take place as soon as is practically possible. The Appeal Panel will consider the details of the poor performance presented by the Chair of the Final Capability Review and will consider the comments of the employee.

The decision of any appeal hearing is final.

8.6. Training

Appropriate training will be given to the Town Clerk or any Members who might be involved in capability or appeals meetings to ensure that they fulfil their responsibilities under this procedure.



Bullying and Harassment Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol22/VAug2021

1. Policy Statement

Employees are Lytchett Minster and Upton Town Council's most valuable and important resource, and the Council has a legal, moral, and ethical duty to ensure that the environment in which they work enables them to contribute to their fullest potential and that they feel confident and comfortable about that working environment.

As well as considering the welfare of its employees, there is a strong business case for ensuring the elimination and prevention of harassment and bullying such as; the financial impact (e.g. cost of reduced performance), health and safety (e.g. physical and emotional effects on employees), and recruitment and retention (e.g. people will not wish to join us or to remain with us).

Lytchett Minster and Upton Town Council believes that all its employees have the right to be treated with dignity and respect, and that harassment and bullying is totally unacceptable. The Council will deal effectively with any form of harassment or bullying and take any steps it sees fit to either stop or prevent it. This may include taking disciplinary action, up to and including dismissal.

2. Scope Of The Policy

This policy should be read in conjunction with other Council policies and procedures such as: the Equal Opportunities Policy, Disciplinary Procedure and Grievance Procedure.

The policy covers harassment and bullying by Officers and Members of the Council. It does not cover harassment and bullying from the public or contractors. However the Council has a duty of care towards its employees and, in these cases, employees should report any such behaviour to their line manager who will decide upon the appropriate action.

3. Aims Of The Policy

The information given below shows how harassment and bullying can affect both individuals and the Council, and demonstrates the need for a policy. The aims of having a harassment and bullying policy are as follows:

- To ensure that all of the Council's employees are treated with dignity and respect;
- To ensure that harassment and bullying is prevented and, if it does occur, that action is taken to stop it;
- To ensure that the working environment is such that each employee feels confident and comfortable about the way they will be treated whilst at work;

- To ensure that all of the Council's employees know what harassment and bullying is and what the Council's policy is;
- To explain the responsibilities of Members, management, and employees; and
- To explain the procedures for dealing with harassment and bullying.

4. Harassment

There are various definitions of harassment, but there are three key questions which help to define 'Harassment'. They are: 'Is the behaviour unwanted?' 'Does it undermine the dignity of the individual?' and 'Is it related to a protected characteristic?'

Harassment is defined by ACAS as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. The protected characteristics are age; disability; sex or gender; gender reassignment; marriage/civil partnership; pregnancy or maternity; race (including ethnic origin, skin colour, nationality and national origin); religion or belief; and sexual orientation.

It is also unacceptable to harass any individual:

- Based on their association with another individual with a protected characteristic (e.g. an employee married to someone of a different ethnic origin); or
- Based on a perception that they have a protected characteristic (e.g. a heterosexual employee who is made fun of because his colleagues believe he is homosexual).

A definition of bullying is given in the next section of this policy, but harassment and bullying are closely linked.

Examples of harassment include:

Sexual harassment:

- Ridiculing someone because of their sex or sexual orientation by looks, remarks, sexual innuendo or jokes of a sexually explicit nature;
- Unnecessary touching or unwanted physical conduct.

Sexual orientation harassment:

- Homophobic remarks, innuendo, jokes;
- Offensive actions and physical attack.

Racial harassment:

- Embarrassing or derogatory remarks such as racist jokes, name-calling or nicknames;
- Deliberate isolation or different treatment.

Harassment on the grounds of disability:

- Name calling;
- Uninvited, patronising or unnecessary assistance.

Harassment on the grounds of religion or belief:

- Ridicule and religious jokes;
- Scorning of belief.

Age harassment:

- Negative comments generalising about the age group of the individual;
- Exclusion from informal groups such as social events.

5. Bullying

ACAS states that bullying can be characterised as 'offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient'.

It must be clearly understood that it is a manager's responsibility to set targets and review work performance. It is also the manager's role when individuals do not reach targets to ensure that corrective processes are put in place. These discussions are sometimes difficult for both parties but need to take place to ensure employees work competently. In this context bullying will only occur when a manager abuses his or her authority.

It should be noted that bullying does not just occur in manager/subordinate relationships, it can occur when there is unacceptable peer pressure or pressure by others in a position of 'authority', e.g. Members.

Examples of bullying behaviour can include:

- Spreading malicious rumours;
- Making the employee the butt of jokes;
- Aggressive, insulting and unco-operative attitude;
- Destructive innuendo and sarcasm;
- Constant unjustified criticism;
- Unjustifiably removing responsibilities and replacing them with trivial tasks to do instead;
- Shouting at employees;
- Unreasonable use of disciplinary/competence procedures;
- Unreasonable refusal of requests (e.g. leave or training) ;
- Deliberately ignoring or excluding individuals from activities;
- Imposing unreasonable workloads and/or unjustifiably reducing deadlines;
- Constantly undermining an employee in terms of their professional or personal standing;

- Undervaluing an employee's efforts;
- Seeking to make an employee appear incompetent, or intentionally creating an unacceptable working environment, with the object of either achieving a dismissal or of making them resign.

Lytchett Minster and Upton Town Council recognises the fact that employees may initially submit to a particular instance of harassment or bullying, but this does not mean that they find the behaviour acceptable. For example, an employee who is the butt of jokes may not wish to object initially, but this should not prevent them from addressing the issue once they feel able to do so.

6. Victimisation

Any employee who makes a complaint or supports another employee who has done so must not be subjected to any victimisation or less favourable treatment as result. Lytchett Minster and Upton Town Council will not tolerate any such behaviour and will take appropriate action to stop/prevent this, which may include disciplinary action.

7. Responsibilities Of Managers, Employees, And Members

7.1. Managers

Managers will have the following responsibilities:

- Compliance with the Policy;
- Creating/ensuring that there is a supportive working environment;
- Making sure that their employees know the details of this policy and ensuring compliance with it;
- Making sure that their employees know what standards of behaviour are expected of them;
- Taking allegations of harassment and/or bullying seriously and dealing with them as quickly as possible;
- Ensuring that victims of harassment and/or bullying receive appropriate support which might include counselling. (Note: consideration should be given as to whether the harasser/bully should also be given access to counselling, as the employee who has been accused of bullying/harassment can find this a stressful situation);
- Dealing with complaints under the Bullying and Harassment Complaints Procedure (see below);
- Ensuring that matters are dealt with confidentially and impartially;
- Ensuring that their employees attend any training requirement; and
- Liaising with the Town Clerk on how to deal with cases that arise.

7.2. Employees

Employees will have the following responsibilities:

- Compliance with the policy;
- Treating their colleagues with dignity and respect;
- Having an awareness of their own standards of behaviour;
- Making it clear that they find harassment and bullying unacceptable;
- Reporting harassment and supporting management with the investigation of complaints; and
- Intervening to stop harassment and/or bullying and give support to victims.

7.3. Members

Members will have the following responsibilities:

- Compliance with the Policy; and
- Treating employees with dignity and respect.



Bullying and Harassment Complaints Procedure

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol23/VAug2021

1. Introduction

No employee need put up with bullying or harassment. Lytchett Minster and Upton Town Council recognises that making a complaint may be a distressing experience, but all complaints will be taken seriously and dealt with in a sympathetic and sensitive manner.

If you feel that you are being bullied/harassed, the decision about how to pursue this will, in the first instance, rest solely with you. You have the right to redress through either the informal or formal procedure.

Only if the matter is brought to the attention of the alleged harasser/bully or your manager can action be taken to stop the behaviour.

In the interests of natural justice a complaint should be made as close as possible to the date when the incident occurred. In a situation where, in your view, an accumulation of incidents merit a bullying/harassment complaint, this should be done as close as possible to the date when the 'final straw' incident took place.

2. Stage One

If it is possible and appropriate to do so, you should ask the person who you feel is harassing or bullying you to stop such behaviour, making it clear that you find it offensive and it is unwelcome. This can be done face-to-face or in writing.

If you feel that you cannot approach the alleged harasser/bully alone then you may wish to ask a work colleague or trade union representative to accompany you.

It is possible that some people may not have realised that their behaviour was offensive and alerting them to it will alter their behaviour.

3. Stage Two

If you feel unable to use the approach set out in Stage 1, or you feel that this is not appropriate, or if Stage 1 action fails to resolve your complaint then you can raise this formally if you wish.

In this case you will need to put your complaint in writing to your Departmental Manager, giving details of the specific actions/incidents about which you are complaining.

Once you have done this the matter will be investigated under the Council's Grievance Procedure.

The Departmental Manager will discuss your complaint with you. In line with the informal resolution stage set out in the Grievance Procedure, the Departmental Manager will, if appropriate, explore with you whether there are any informal measures that you feel able to pursue in order to attempt to resolve the situation before requesting that formal action is taken. These could include meetings with the alleged harasser/bully facilitated by your line manager or the Town Clerk, or more structured mediation.

The formal process must, however, be followed if the particular 'offence' brought to the Council's attention is so serious that criminal prosecution may result.

If informal measures are not appropriate/successful or you wish to proceed straight to the formal process, the Town Clerk, or his/her representative, will thoroughly investigate the complaint in accordance with the Grievance Procedure.

The usual representation will apply to the alleged bully/harasser and you can be supported throughout the process by a work colleague or trade union representative.

In accordance with Lytchett Minster and Upton Town Council's Grievance Procedure you will be invited to attend a hearing. You will be given written notification of the outcome of this hearing and will have the right of appeal.

Decisions will be made at/after the hearing about the appropriate actions to be taken. These could include taking disciplinary action against the bully/harasser; issuing management instructions; arranging mediation if both parties are willing to participate; making changes to working arrangements; or taking no further action.

It should be noted that if disciplinary action is taken against the alleged bully/harasser, you will be informed that disciplinary action is being taken, but will not be informed of the outcome of this or have a right of appeal against the decision of the disciplinary panel. Nor do you have the right to raise a grievance about any decision affecting the harasser/bully following a disciplinary hearing or investigation.

4. Confidentiality

Any complaint received, either formally or informally, will be treated with as much confidentiality as possible. However in order to enable your complaint to be investigated and/or resolved the individuals concerned will have to be made aware of your complaint, and it may not be possible to do this without identifying you.

The knowledge that a complaint has been made will be restricted to the minimum number of people necessary to investigate what happened. All those involved in any complaint must respect this and ensure that they are sensitive to the needs of both the complainant and the alleged harasser/bully.

All involved in investigating a complaint will do so impartially and make no inferences that either party is at fault until the investigation is complete. Breaches in confidentiality may result in disciplinary action.

5. Complaints About Other Parties

If the matter involves a complaint against the Town Clerk, you should inform the Chairman of the Council or the Chairman of the Finance and Administration Committee, who will seek advice and determine the most appropriate means of dealing properly with the complaint.

If the matter involves a complaint against a Member, you should inform the Town Clerk.

6. Malicious/Unfounded Complaints

This procedure is designed to protect individuals who raise their concerns. It is accepted that some allegations may arise from genuine misunderstandings. However making a malicious and unfounded complaint may itself constitute harassment and be dealt with under the disciplinary procedure.



Whistleblowing Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol24/VAug2021

1. Policy Statement

Employees are often the first to realise that there may be something wrong within their organisation. However, they may not feel able to express their concerns because they feel that speaking up would be disloyal to their colleagues or to their employer. They may also be apprehensive about the consequences and they may mistakenly feel that it may be easier, therefore, to ignore the concern rather than report what may be no more than a suspicion of malpractice.

Lytchett Minster and Upton Town Council is committed to the highest standards of openness, probity, and accountability. It expects employees, and others that it deals with, who have serious concerns about any aspect of the Council's work, to come forward and voice those concerns. The word 'whistleblowing' in this procedure refers to the disclosure, internally or externally, by employees of malpractice, as well as illegal acts or omissions at work.

This policy makes it clear that all employees can report, in a confidential manner, their concerns without fear of victimisation, subsequent discrimination or disadvantage, and is intended to encourage and enable serious concerns to be raised with the Council, rather than overlooking a problem or 'blowing the whistle' outside. It is stressed that under the Public Interest Disclosure Act 1998, employees of the Council who speak out against corruption or malpractice at work have statutory protection against victimisation, dismissal or other disadvantage.

2. Scope

This policy applies to employees of Lytchett Minster and Upton Town Council. Agency workers, casual workers and other individuals performing functions for the Council, such as contractors, are also encouraged to use the procedure.

3. Aims

This policy aims to:

- Encourage employees to feel confident in raising serious concerns in those cases where they do not wish to use the normal reporting routes within their departments;
- Provide alternative avenues for raising concerns;
- Ensure that responses to concerns are made; and
- Reassure employees that they will be protected from possible reprisals or victimisation if they have made a qualifying disclosure to address their concerns.

4. Background

The law provides protection for employees who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that one of the following is being, has been, or is likely to be committed:

- A criminal offence;
- A miscarriage of justice;
- An act creating a risk to health and safety;
- An act causing damage to the physical environment;
- A breach of any other legal obligation; or
- Concealment of any of the above.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment (e.g. disciplinary action), or victimised because he/she has made a disclosure.

The employee has no responsibility for investigating the matter; it is Lytchett Minster and Upton Town Council's responsibility to ensure that an investigation takes place.

The Council fully understands that employees who are members of a Trade Union may, in the first instance, wish to seek advice and guidance from their Union on the application of this Policy.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the Council's Grievance Procedure.

5. Safeguards

5.1. Harassment Or Victimisation

Lytchett Minster and Upton Town Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from the person(s) who is/are the subject of the complaint. However, if employees state the truth when making a disclosure they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

Lytchett Minster and Upton Town Council will not tolerate any form of harassment or victimisation by any worker and will take appropriate action to protect individuals when they make a qualifying disclosure.

5.2. Confidentiality

All concerns will be treated in confidence and every effort will be made to protect an employee's identity if that is their wish. At the appropriate time, however, they may need to be called as a witness, following a full factual investigation of the concerns raised.

5.3. Anonymous Allegations

In order to ensure that employees receive the protection of the Public Interest Disclosure Act 1998, employees should put their name to their concern. Concerns expressed anonymously are much less convincing. Anonymous concerns and allegations will therefore be investigated at the discretion of the Council.

In exercising the discretion the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from factual evidence.

5.4. Unsubstantiated Allegations

If an employee makes an allegation which they reasonably believe to be true but it is not confirmed by the investigation, no action will be taken against them. However, if they make an allegation frivolously, maliciously, or for personal gain, disciplinary action may be taken against them.

6. Procedure For Making A Disclosure

6.1. Step One – Raising A Concern

Whenever possible you should raise your concern with your line manager. If this is not appropriate, you should approach the Town Clerk. If the complaint is about the Town Clerk then your concern should be raised with the Chair of the Finance and Administration Committee.

6.2. Step Two – How The Council Will Respond

The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally by management, or through the disciplinary or other internal process;
- be referred to the Police;
- be referred to the External Auditor;
- form the subject of an independent inquiry.

In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Concerns or allegations which fall within the scope of specific procedures of Lytchett Minster and Upton Town Council will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

You will be written to within ten working days:

- acknowledging that the concern has been received;
- indicating how the Council proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- informing you if any initial enquiries have been made;
- whether further investigations will take place and, if not, why not.

6.3. Contact

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

6.4. Attending Meetings

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

6.5. Support

Lytchett Minster and Upton Town Council will take steps to minimise any difficulties you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, Lytchett Minster and Upton Town Council will advise or arrange for you to have advice about the procedure. Lytchett Minster and Upton Town Council will not tolerate harassment or victimisation (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

Lytchett Minster and Upton Town Council accepts that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

7. How The Matter Can Be Taken Further

This procedure is intended to provide individuals with an avenue to raise concerns within Lytchett Minster and Upton Town Council. If you are not satisfied, and feel it is right to take the matter further, the following are possible contacts:

- Public Concern at Work - Tel: 020 3117 2520 ;
- the Council's external auditor ;
- the Police;
- Health and Safety Executive;
- Her Majesty's Revenue and Customs.

If a matter is taken outside Lytchett Minster and Upton Town Council, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, check with the Town Clerk.



Internet and Email Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol25/VAug2021

1. Purpose

The purpose of this policy is to ensure the proper use of Lytchett Minster and Upton Town Council's internet and email system and make users aware of what the Council deems acceptable and unacceptable use of its internet and email system. The Council reserves the right to amend this policy at its discretion – users will be informed if and when amendments are made.

2. General Security

Security of the data on a PC is the user's responsibility and it is therefore recommended that PC's should be logged out and switched off when left unattended.

Passwords must never be disclosed nor may they be displayed openly.

The use of another person's password is not permitted, other than in instances where information is required urgently and can only be accessed by an individual's PC.

Passwords wherever practicable should be changed frequently.

Wherever practicable computer screens should be positioned so that they cannot be overlooked by visitors.

3. Requirements For Use

The following rules **MUST** be adhered to by all users within the Council. It is prohibited to:

- Send or forward emails containing libellous, defamatory, offensive, racist or obscene remarks. If you receive an email of this sort, you must notify your line manager who will pass this to the Town Clerk if appropriate;
- Forward a sensitive or controversial message without acquiring permission from the sender first;
- Forge or attempt to forge email messages;
- Disguise or attempt to disguise your identity when sending mail;
- Send email messages using another person's email address without permission;
- Copy a confidential message or attachment belonging to another user without permission of the originator.

4. Downloading And Importing Files And Software

Employees must download files only onto those PCs with virus checking software and should check how long downloads will take. If in doubt, employees should check with the Town Clerk or appropriate Departmental Manager.

Employees must exercise extreme care when receiving emails with attachments from third parties – particularly unidentified third parties – as these may contain viruses.

Data from memory sticks, CDs, and other external devices must only be viewed on PCs with appropriate virus checking software. If in any doubt about whether it is safe and permissible to use these devices, employees should ask the appropriate Departmental Manager or the Town Clerk.

5. System Monitoring

Users expressly waive any right of privacy in anything they create, store, send or receive on the Council's computer system.

The Council can, but is not obliged to, monitor emails without prior notification. The organisation considers the following to be examples of valid reasons for checking an employee's emails:

- If an employee is absent for any reason and communications must be checked for the smooth running of the business to continue;
- If the Council suspects that an employee has been viewing or sending offensive or illegal material;
- If the Council suspects that an employee has been using the email system to send/receive an excessive number of personal communications; or
- If the Council suspects that an employee is sending or receiving emails that are detrimental to the Council.

If there is evidence that you are not adhering to the guidelines set out in this policy, the Council reserves the right to take appropriate disciplinary/legal action, which could result in termination of employment.

6. Electronic Signature And Disclaimer

Employees must ensure that their electronic signature and disclaimer is set up in the following format to appear on outgoing emails:

Name
Job Title

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the originator of the message.

Any views expressed in this message are those of the individual sender, except where the sender specifies and with authority, states them to be the views of Lytchett Minster and Upton Town Council.

Name of Organisation
Departmental Address
Telephone number
Website

7. Personal Use Of Internet And Email

Because the Council has access to broadband technology, usage is at a flat rate regardless of numbers of emails sent or minutes online. As a result, the organisation permits employees to use their PCs to access the internet and send/receive email for limited personal/developmental use where necessary. This permission only applies to times **OUTSIDE** recorded working hours. Employees wishing to use internet/email access for personal/developmental use are deemed to have agreed to the following terms and conditions:

- Personal emails should be clearly marked as such in the subject line;
- Unless you have specific prior permission from the Town Clerk and your line manager, you should not give your work email address as one of your contact details for regular extra-curricular/social/voluntary commitments outside work;
- Do NOT use your work email address for any non-work communication if there is any possibility that the recipient will be influenced (either positively or negatively) by receiving a communication from an officer of the Council;
- To avoid cluttering the system with unwanted adverts or other material, please do not sign up for personal direct mail using your work email address. For example, if you have used the internet (in your own time) to buy goods or services, and are invited to subscribe to 'news of other products' please click 'no' or provide your home email address as the point of contact;
- When sending personal emails, employees should show the same care as when sending work-related emails;
- Jokes or humorous articles are often received from individuals outside the organisation. Users must consider whether anyone is likely to take offence if you pass material on. Passing on offensive material via the work system is a disciplinary matter and may result in legal action or termination of employment;
- No attachments should be opened or links clicked unless the user is sure that the website accessed is legitimate and will not compromise the Council's IT system;
- If any doubt, don't do it!

Abuse of this permission will be regarded as a disciplinary offence and will be subject to action laid out in the policies on code of conduct and elsewhere.

Abuse of Internet/email access could include, but is not limited to:

- Accessing inappropriate web sites;
- Downloading or distributing obscene, offensive, or indecent material;
- Using language or behaviour likely to bring the Council into disrepute;
- Using the Council's official role/status for personal gain;
- Using Council's role/status to support a specific political or issue-based campaign;
- Using the equipment to contribute to fraud; and
- Using or passing on privileged or confidential information.

The personal use of email or Internet access must be completely in accordance with the range of provisions in the current Code of Conduct.

8. Legal Risks

Email is a business communication tool and users are obliged to use this tool in a responsible, effective and lawful manner. While email seems to be less formal than other written communication, the same laws and guidelines apply. Users should be aware of the legal risks of email:

- If you send or forward emails with any libellous, defamatory, offensive, racist or obscene remarks, both you and the Council can be held liable. In addition, it may be considered to have been an infringement of the disciplinary procedure;
- If you unlawfully forward confidential information, you and the Council can be held liable;
- If you unlawfully forward or copy messages without permission, you and the Council can be held liable for copyright infringement;
- If you knowingly send an attachment that contains a virus, you and the Council can be held liable.

Please follow the guidelines in this policy to minimise the legal risks to yourself and the Council. If any user disregards the rules set out in this policy, the user will be fully liable and the Council will disassociate itself from the user as far as legally possible.

9. Queries

If you have any queries about this email policy, please contact the Town Clerk. If you do not have any questions, the Council assumes that you understand and accept the rules and guidelines in this policy and will adhere to them.



Payment of Salaries & Trade Unions

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol26/VAug2021

1. Payment of Salaries/Wages

The payment of salaries and wages to all employees will be made monthly direct into a bank or building society.

Salaries will be credited by the appropriate amount on the day after the Town Council Meeting – these dates are circulated to staff on the approved Calendar of Meetings schedule.

On commencement of employment account details must be notified to the Town Clerk using the bank details form. Any subsequent changes must be notified to the Town Clerk without delay.

2. Trade Unions

Lytchett Minster and Upton Town Council are supportive of the benefits of trade union membership and support any member of staff who wishes to join a union.

Regular deductions for union membership can be taken from your monthly salary if you wish.

More information is available from the Town Clerk.



Smoking, Alcohol and Drugs Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol27/VAug2021

Smoking

The Council operates a smoke-free workplace. Smoking (which includes the use of e-cigarettes and personal vaporisers) is only permitted in clearly designated outside areas. Smoking in any undesignated place (for example, in front of the Council Offices) or any breach of this policy may result in the disciplinary procedure being commenced and viewed as an act of gross misconduct.

Smoking during working hours

Smoking is only permitted during lunch breaks. If you require additional breaks (no more than 2 a day); these are to be no longer than 10 minutes (including walking to and from designated area or off Council premises) and this time must be deducted from your lunch break or you may work additional time at the start or end of the day to make the time up. This is to be agreed informally by your Line Manager.

Alcohol and drugs

The Council's approach to the consumption of alcohol and drugs is based on the need to ensure a safe and productive working environment. Because of the serious nature of the risks posed by the abuse of alcohol and drugs in the workplace, any breach of this policy may result in the disciplinary procedure being commenced and viewed as an act of gross misconduct.

An employee will be regarded as 'under the influence' of alcohol or drugs if their behaviour, speech, ability to concentrate or otherwise perform their duties is in any way affected. If an employee is regarded as being under the influence, the disciplinary procedure may be commenced and viewed as an act of gross misconduct.

Dependency

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

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

Drugs

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

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

Medicines and Prescription drugs

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

Alcohol

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

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

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

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



Lone Working Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol28/VAug2021

1 Introduction

The purpose of this policy is to describe the measures that Lytchett Minster and Upton Town Council considers necessary to manage the risk present when employees are required to work alone.

2 Definition

Lone Working includes employees working alone in the Town Council Offices and those who duties involved working outside where there is no close, frequent or regular contact with other colleagues.

3. Policy

Lytchett Minster and Upton Town Council considers lone working as a high risk activity and will strive to minimise such working instances. The Council will, so far as is reasonably practicable, ensure that employees who are required to work alone are protected from risks to their health, safety and welfare. Any risks to employees should be identified in discussion beforehand with their Line Manager and assessed, and where appropriate, maintain control measures to reduce the risk to an acceptable level.

When assessing lone working it is important to consider:

- The work activity
- The location and environment
- Persons with whom employees may come into contact
- Equipment that may be used
- Worse case foreseeable scenarios

4. Responsibilities

Line Managers' Duties

- The Line Manager will complete a risk assessment of the activity, location, and equipment and ensure appropriate procedures are prepared and communicated to the employee
- They will monitor the effectiveness of the control measures
- They will maintain lists of up to date contact details

Line Managers must also ensure employees that are Lone Workers:

- Are not deployed in situations where violence or aggression is reasonably foreseeable without appropriate control measures being in place
- Have been assessed, taking into account their capabilities and health condition
- Are competent through experience and by receiving adequate information and training about safe working practices and have access to the appropriate equipment and supervision
- Have suitable systems for them to report incidents or raising concerns

Employees' Duties

- All employees have a responsibility to take care of their own safety and comply and co-operate with Lytchett Minster and Upton Town Council's health and safety procedures
- Employees should not knowingly place themselves in situations which expose them to additional risk by working alone
- Employees should ensure their whereabouts are known to their Line Manager/colleagues before they leave their work place and undertake lone working
- Employees should carry out their own 'Personal Assessment' before undertaking lone working. If they feel something is wrong, they should not commence the task, and report their concerns to their Line Manager
- If an employee thinks they have any medical conditions which may make them unsuitable or lone working they should inform their Line Manager
- Employees should ensure they are carrying a mobile phone and their contact details are kept up to date and known by their Line Manager.

5. Risk Assessment

The risk assessment process will be undertaken as a joint exercise by both the lone worker and their Line Manager and that the agreed safe working procedures are recorded and communicated to all employees who may be required to work alone and any other employees who have a role in ensuring their safety.

6. Monitoring and Review

Lone working arrangements need to be subject to a monitoring regime commensurate with the risk, but their Line Manager. Risk assessments should be reviewed if any significant changes take place following an accident/incident or following any concerns being raised by the employee or Line Manager.



Breastfeeding Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol29/VAug2021

Lytchett Minster and Upton Town Council welcomes mothers to breastfeed their babies in any public area of the Town Council offices during normal working hours. This means:

- All our staff will support the needs and rights of mothers' breastfeeding
- If another customer/visitor to the premises objects to discreet breastfeeding, they will be told management supports breastfeeding
- If the situation cannot be resolved readily, staff should refer customers/visitors to senior management
- A copy of this policy will be issued to all new staff and a copy should be kept accessible in case it needs to be shown to a member of the public or site visitor

If a member of staff feels they need more guidance on implementing this policy they should speak to the Town Clerk.

Lytchett Minster and Upton Town Council will:

- Promote a welcoming breastfeeding culture
- Display the 'Positive about Breastfeeding' branding
- Share this policy with all staff members and volunteers



Policy on temporarily Working Remotely from Home

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol30/VAug2021

What is our normal policy?

Except by prior agreement with us, we do not normally require you to work remotely for an extended period.

There is normally no expectation that:

- If you use a laptop, or have access to a tablet, you always take it home with you after work each day; or
- If you use a desktop, you access your emails remotely while away from the workplace

What is changing temporarily?

Given the current coronavirus situation, in line with Government advice and guidance you should be temporarily working remotely from home unless your work absolutely cannot be done from home.

During this period of temporary remote working any equipment, including computer equipment, and materials necessary for you to work from home, will where possible, be provided to you by the organisation and maintained (and replaced when necessary) by the organisation. It is your duty to ensure that proper care is taken of equipment and materials provided by the organisation. If you are using your own equipment, then the Council will undertake to provide consumables, such as printer ink, paper etc. Please ensure that your computer is protected with anti-virus etc, and discuss with your line manager any issues relating to the provision of this, or cost to yourself. The Town Council do not expect staff to be out of pocket financially or in any other way inconvenienced by being required to work at home. There will be however an expectation on the employee to work as flexible as possible in time of great exception.

Whilst working from home you are responsible for keeping all documents and information associated with the organisation's business secure at all time. Furthermore, the computer (and other equipment) provided by the organisation must be used only for work-related purposes and must not be used by any other member of the family or third party at any time or for any purpose.



Safeguarding Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol31/VAug2021

Purpose

The purpose of this document is to introduce the Council's "Policy and Guidelines for Safeguarding Children and Adults".

The following are the objectives of the Safeguarding policy and Guidelines:

- To highlight how Lytchett Minster and Upton Town Council undertakes its legal commitments in the field of safeguarding children and adults.
- To give assurance to members of the public, service users, councillors and employees and people working on behalf of the Council that there are clear arrangements in place to safeguard and protect children and adults.
- That Council staff and Councillors have clear guidelines for when a child or adult may be at risk of harm, or their wellbeing is being adversely affected.
- To ensure that any staff within the Council work together to protect people from abuse or harm of any kind.

Scope

This policy relates to all 'children' and to adults at risk over the age of 18 regardless of gender, age, ethnicity, disability, sexual orientation or religion or cultural background.

By the nature of the organisation, it is inevitable that various degrees of contact with children and adults at risk will occur and it is therefore our policy to have in place clear guidelines for safeguarding and promoting their welfare as well as protecting our employees and other adults in a position of responsibility from potential allegations of abuse.

Responsibilities

Every Councillor, every member of staff, every volunteer and every contracted service provider has a responsibility to adhere to the procedures and guidance set out in this policy.

Equalities

The equalities policy must be applied to ensure there is no discrimination based on race and ethnicity, disability, age, gender, sexual orientation, religion and belief, language or human rights.

Definitions

- Safeguarding is the process of protecting vulnerable people, whether from crime, other forms of abuse or from being drawn into terrorist related activity.
- Vulnerable people are both children and adults whose circumstances make them particularly susceptible to abuse, neglect or harm.
- Children are legally defined as any person under the age of 18.

Aims

The aims of the policy are to:

- Clarify the roles and responsibilities of all parties within the scope of this policy.
- Support the promotion of a safe working environment and a culture of care in which the rights of all vulnerable people are protected and respected.
- Promote best practice in how employees and associated workers interact with vulnerable people.

Responsibilities – Safeguarding Officer

The Town Clerk is the Council’s designated Safeguarding Officer responsible for ensuring that:

- Promote best practice in how employees and associated workers interact with vulnerable people.
- Advice and information is provided relating to safeguarding concerns.
- Information from employees, members, volunteers, children, vulnerable adults or parents and carers who have safeguarding concerns is received and recorded.
- Information is assessed promptly and carefully, clarifying or obtaining more information about the matter as appropriate.
- Consultation take place initially with Children or Adult Services to test out any doubts or uncertainty about concerns as they arise.
- A formal referral to a statutory agency or the police without delay and ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary.
- The Council’s safeguarding policies and procedure are up to date and compliant with legislation and guidance.
- Appropriate training is available for employees, members and volunteers.

- Advice is available for staff regarding posts which may require checks for previous criminal record through Disclose and barring service (DBS)

Liaison takes place with the Dorset Children Safeguarding Board, the Dorset Adults Safeguarding Board and the CSP to keep up to date on current best practices.



Mobile Phone Policy

Lytchett Minster and Upton Town Council
LMUTC/SH/Pol32/VAug2021

1. Introduction

- 1.1 The Council is committed to ensuring that adequate communication facilities are available to its staff to help them carry out their normal day-to-day tasks. This document sets out the Council's policy on mobile phones.
- 1.2 Mobile phones will be provided to those staff whose duties meet one or more of the following criteria:
 - 1.2.1 Duties are of a nature where there is a genuine need to be easily and immediately contactable by telephone during and outside of normal working hours.
 - 1.2.2 Duties may include rare occasions where the individual may be called upon to return to work to carry out tasks outside of normal working hours or in the case of emergencies. It is not envisaged that significant numbers of staff will fall into this category.
 - 1.2.3 This policy applies to all members of staff of Lytchett Minster and Upton Town Council.

2. Management Responsibilities

- 2.1 It is the responsibility of the Town Clerk for ensuring:-
 - 2.1.1 That the policy is properly reviewed on an annual basis. All staff who are already in possession of a mobile phone will receive a hard copy of this policy.
 - 2.1.2 That any investigations of alleged abuse of use as described in this policy are properly conducted by the Town Clerk and that any consideration of disciplinary action is instigated in accordance with the Council's disciplinary procedures.
 - 2.1.3 A register of all mobile phones will be maintained.

3. Mobile Phones and Driving

- 3.1 The Council's policy on the use of mobile phones while driving is guided, first and foremost, by a concern for the well-being of our staff and other road users. **Driving whilst talking on a mobile phone is distracting and can lead to accidents.** You cannot be in full control of your vehicle if you are using a hand-held mobile phone whilst driving. For the purposes of this policy, cars, vans and other road-going vehicles, such as tractors and lawn mowers are included.

- 3.2 The law says drivers must have proper control of their vehicles at all times and you can be prosecuted for careless or inconsiderate driving, or even dangerous driving, if using a phone causes you to drive in this way. The penalties include an unlimited fine, disqualification and up to two years imprisonment. From December 2003, it also became an offence to drive whilst using a hand-held phone with offenders given an 'on-the-spot' £30 fine, rising to a maximum of £1,000 if the case goes to court.
- 3.3 Whilst on Council business, you must **never use a hand-held phone whilst driving**:
- 3.3.1 You are not in full control of the vehicle if you are holding a mobile phone whilst driving.
- 3.3.2 Only use the phone after you have stopped in a safe place and turned your engine off, putting hazard warning lights on the vehicle, if appropriate.
- 3.3.3 If, whilst on Council business, you are caught using a hand-held phone whilst driving, then the Council will accept no responsibility for your actions. Any fines or penalties will be born by the individual.

4. Standard Services

4.1 Network

The Council will ensure that all the members of staff who have been allocated with a mobile phone are connected to the network on a monthly contract basis. There is no requirement to top-up and the plan provided will be sufficient for the purposes of your employment.

4.2 Mobile Phones

A 'tough proof' brand of phone is issued to Town Council employees at time of issue of this policy.

4.3 Tariffs

Mobile phones issued to staff are on a monthly contract, paid by direct debit. There is no requirement to top-up.

4.4 Private Access

Mobile phones have been provided by the Town Council for its employees to use primarily for business purposes. Private calls must only be made in emergency situations.

4.5 Cessation of Employment

On leaving the employ of Lytchett Minster and Upton Town Council, staff are required to submit their mobile phones to the Deputy Town Clerk.

