



# **CARN BREA PARISH COUNCIL**

## **Employee Handbook 2025**

## **WELCOME AND INTRODUCTION**

Welcome to Carn Brea Parish Council. Our strength as a Council is due to the skills and abilities of colleagues like you. We look forward to a long and successful working relationship with you and sincerely hope that your time with us is enjoyable and rewarding.

### **This handbook**

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

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

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

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# 1

## KEY PRINCIPLES

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

### 1.1 Code of Conduct for employees

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

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

#### **Dishonesty**

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

The Council regards any dishonesty by employees as gross misconduct which may result in dismissal.

#### **Refusal to carry out instructions**

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

If you believe that you have been instructed to do something that does not fall within your duties, or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see Section 4). However, doing so will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

## **1.2 Health and Safety**

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

A detailed health and safety policy/handbook identifying the roles and responsibilities of key employees for ensuring that the Council meets its commitment to health and safety is available from the Clerk and is available on the Council's website ([www.carnbreaparrishcouncil.gov.uk](http://www.carnbreaparrishcouncil.gov.uk)). In addition, there is information on health and safety displayed within key areas throughout our premises.

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

Employees are required to comply with all instructions rules and procedures concerning matters of health and safety and to attend and complete any training / e-learning courses relevant to their role as instructed. Failure to do so may amount to gross misconduct. In particular, where employees are required to wear personal protective equipment then failure to do so will be treated as gross misconduct which may result in dismissal.

## **1.3 Equality**

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

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

## **1.4 Dignity at Work**

All employees are entitled to a working environment free from bullying and harassment. The Council takes all allegations of such conduct extremely seriously and will not tolerate harassment or bullying behaviour. Complaints will be dealt with in line with our Dignity at Work (Bullying and Harassment) Policy. A copy of the policy can be found on the Council's website ([www.carnbreaparrishcouncil.gov.uk](http://www.carnbreaparrishcouncil.gov.uk)) or supplied upon request to the Clerk.

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

## **1.5 Ethical Conduct**

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

### **Gifts and Hospitality**

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

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

No personal gifts of a value in excess of £25 should be accepted from a parishioner, client/customer, supplier or potential supplier and all such gifts received must be recorded by the Clerk.

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

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

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

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

## **1.6 Whistleblowing**

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

Any initial concern should be raised with the Clerk, however, if this is not appropriate then you should contact the Chairman of the Staffing Committee, or in their absence the Chairman of the Council who will ensure that your concern is properly addressed.

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

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

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

## **1.7 Good Faith and Loyalty**

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

In practice this means not doing anything that undermines the Council's standing with members of the public, fellow employees, and other Councils, and not doing anything that undermines the Council's position by acting in competition with it, providing information to competitors or undermining the Council's standing with clients, customers and fellow employees.

## **1.8 Data Protection**

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

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

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



## **1.9 Environmental Statement**

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

The Council therefore maintains a policy of 'minimum waste' which is essential to the cost effective and efficient running of all our operations. Every employee has a responsibility to promote this policy by taking extra care when carrying out normal duties to avoid unnecessary or extravagant use of services, materials, lights, heating, water etc.

## 2 **HOW WE DO THINGS**

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

### **2.1 Proof of Identity**

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

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

### **2.2 Dress Code**

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

#### **Uniform**

Corporate wear is provided for employees' dependant on their role. You will be issued uniform relevant to your role when you start work with the Council. It is the employee's responsibility to ensure that any items of uniform issued are washed and ironed.

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

#### **Personal Protective Equipment**

You will be provided with PPE to undertake specific tasks or work in specific areas. This must be worn at all times when undertaking that task or working in a specific area. Failure to do so may result in disciplinary action.

## 2.3 Timekeeping

Good timekeeping is essential in any team; however, we recognise the commitment that employees dedicate to their duties and therefore are happy to show some flexibility in terms of time keeping. Any employee who is seen to abuse this goodwill, will be required to comply with good time keeping. Persistent abuse of this goodwill will likely result in disciplinary action.

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

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

## 2.4 Adverse Weather and Traffic Disruption

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

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

If the workplace remains open, it is the responsibility of employees to attend work if they possibly can. While the Council understands that this is not always possible, additional paid leave will **not** be provided for employees who are unable, for whatever reason, to travel into work.

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

## **2.5 Rest Breaks**

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

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

## **2.6 Smoking and Vaping**

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

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

The designated area is located at the rear of the car park adjacent to the Parish Office and no Parish Uniform should be visible whilst smoking/vaping.

## **2.7 Computer Use - Including the use of email / Internet.**

All employees are issued with appropriate IT equipment on commencement of employment with the Council. This may include a laptop, tablet, mobile phone and memory devices (e.g., USB) according to the requirements of the role.

A unique email account, Microsoft user ID and password are also issued along with authentication devices if appropriate. Access levels to systems and information will be authorised appropriate to the users' job role.

It is very important that the Council is able to keep its data secure. To assist with this, all employees are required to comply with instructions that may be issued from time to time regarding the use of Council-owned IT or communication systems and complete any relevant e-learning courses identified.

You should ensure that when leaving your workstation that you lock your IT devices or log off if appropriate.

You must not attach any external device, download software, plugins, or extensions onto Council-owned IT devices without authorisation from the Clerk and you must not open attachments or click on links unless you know you can trust the source. Employees should also refrain from downloading music, video or any other entertainment content. Council portable IT devices must be kept secure, and password protected at all times.

Passwords, PINs or any other unique authentication credentials should not be written down or disclosed to anyone under any circumstances. You should change your password immediately if you believe it may have been compromised.

Unauthorised access to any of the Council's IT and communication systems will amount to gross misconduct and may lead to dismissal.

A copy of the Provision of IT Equipment and Acceptable Use Policy can be found on our website ([www.carnbreaparishtcouncil.gov.uk](http://www.carnbreaparishtcouncil.gov.uk)) or supplied upon request to the Clerk.

### **Internet Use**

Employees with access to the internet on Council-owned IT devices should use that access responsibly. Limited and reasonable personal use is permitted as long as it does not interfere with the performance of your duties. From time to time the Council may block access to sites which it considers inappropriate but whether or not a specific site has been blocked, employees must not use the internet to view or download offensive or sexually explicit material. Any viewing or downloading of such material, including any attempt to do so, may, depending on the circumstances, amount to gross misconduct which may lead to dismissal.

## **Email**

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

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

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

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

## **Privacy**

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

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

## 2.8 Social Media

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

You must avoid making any social media communications that could damage the Council's interests or reputation, even indirectly. You must not use social media to:

- defame or disparage the Council, its employees, Councillors or other third party;
- harass (including sexually harass), bully or unlawfully discriminate against employees, Councillors or other third parties;
- make false or misleading statements; or
- impersonate colleagues or third parties.

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

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

### **You must not:**

- Operate a social media account or profile or express an opinion that purports to be operated / made on behalf of the Council without express permission to do so from your line manager.
- Comment on social media about sensitive Council business related topics such as confidential information and intellectual property.
- Not include Council logos in any social media posting or in your profile on any social media.
- Attempt to access personal social networking sites, such as Facebook, X (formally known as Twitter) or similar on the Council's computers. This includes during break times.

Any misuse of social media that you see should be reported to your line manager.

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

## **2.9 Telephones**

Council telephones must be used for legitimate council purposes only. Personal use is only permitted in an emergency or with prior permission.

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

## **2.10 Alcohol and Drugs**

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

### **Dependency**

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

Wherever an employee informs the Council that they have a drug, alcohol or other substance problem this will, as far as possible, be treated in the utmost confidence. However, the Council may need to disclose particular circumstances to 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 and/or intoxicating substance, including new psychoactive substances, on Council premises or during working time is strictly prohibited. The Council will report any illegal activities to the police or other relevant authorities.

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

### **Medicines and Prescription Drugs**

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



## **Alcohol**

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

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

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

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

## **2.11 Driving**

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

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

If you use your own vehicle to drive on Council/work-related business, it is your responsibility to arrange insurance cover. The Council may require you on an annual basis to provide a copy of your insurance and any MOT test certificate required for your vehicle. The copies will be kept on your personnel file.

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

**It is illegal to use a handheld mobile phone whilst driving. This includes texting etc.**

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

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

## **Council Vehicles**

If a Council vehicle is provided to you as part of your contract of employment or you are required to drive a Council vehicle as part of your job, it is your responsibility to take care of the vehicle, keeping it in a clean and roadworthy condition, including checking the oil/water levels are at the required levels. You should report any damage or fault immediately. The Council will arrange for appropriate maintenance or servicing to be carried out. If you incur any reasonable expenses in connection with the vehicle then these will be reimbursed, but you must check with the clerk first and comply fully with our expenses policy. The Council will not be obliged to reimburse any expenses incurred without authorisation.

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

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

A copy of the Use of Council Vehicle Policy can be found on our website ([www.carnbreaparishcouncil.gov.uk](http://www.carnbreaparishcouncil.gov.uk)) or supplied upon request to the Clerk.

## **2.12 Expenses**

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

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

A copy of the Employees Expenses Policy can be found on our website ([www.carnbreaparishcouncil.gov.uk](http://www.carnbreaparishcouncil.gov.uk)) or supplied upon request to the Clerk.

## **2.13 Council Property**

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

### **Damage to Council Property**

Any damage to or loss of Council property must be immediately reported to your line manager.

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

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

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

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

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

### **Return of Council Property**

Upon termination of employment for whatever reason, you must return to the Council all property belonging to the Council including any Council vehicle, IT equipment, Council provided clothing and PPE, equipment, keys, records and documents within your possession or control belonging or relating to the affairs of the Council.

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

### **Employees' Property**

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

Any loss or theft of items must be reported to your line manager.

### **Lost Property**

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

## **2.14 General**

### **Statements to the Media**

Any statements to reporters from newspapers, radio, television or online news sites etc. in relation to our council will be given only by the Chairman of the Council.

### **Parking**

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

# 3

## **ABSENCE**

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

A copy of The Council's Absence Management Policy can be found on our website ([www.carnbreaparcouncil.gov.uk](http://www.carnbreaparcouncil.gov.uk)) or supplied upon request to the Clerk.

### **3.1 Unauthorised Absence**

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

### **3.2 Medical Appointments**

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

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

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

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

Necessary paid time off will be granted for cancer screening.

### **3.3 Ante-natal Care/Adoption Appointments**

#### **Pregnancy Related Appointments**

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

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

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

#### **Adoption Appointments**

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

### **3.4 Sickness Absence**

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

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

The Council's Absence Management Policy can be found on the Council's website ([www.carnbreaparishtcouncil.gov.uk](http://www.carnbreaparishtcouncil.gov.uk)) or supplied upon request to the Clerk.

Employees may be entitled to enhanced sick pay, in addition to Statutory Sick Pay (SSP). Any enhanced sick pay is deemed inclusive of SSP. If applicable, the enhanced entitlement will be referred to in the employee's contract of employment.

### **Jury Service/Other Time Off**

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

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

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

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

## **3.5 Compassionate/Bereavement Leave**

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

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

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

### **3.6 Parental Bereavement Leave**

Employees are entitled to statutory parental bereavement leave (SPBL) if a child for whom they have or were due to have parental responsibility has died or been stillborn after 24 weeks of pregnancy, on or after 6 April 2020.

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

#### **Notification**

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

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

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

#### **Parental Bereavement Pay**

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

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

#### **Other leave entitlements**

In addition to parental bereavement leave if you qualified for:

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

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

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



### **3.7 Emergency Time Off for Dependants**

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

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

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

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

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

### **3.8 Annual Leave**

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

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

Normally not more than two consecutive weeks' holiday can be taken at one time. In certain circumstances, and at the discretion of the Council, a longer period may be permitted. If this is required, you should put your request in writing at least 14 days in advance in order for this to be considered by the Clerk, Chairman and Vice Chairman of the Staffing Committee.

Information regarding what notice to give, our holiday year and more can be found in our Annual Leave Policy which can be found on the Council's website ([www.carnbreaparishtcouncil.gov.uk](http://www.carnbreaparishtcouncil.gov.uk)) or supplied upon request to the Clerk.

### 3.9 Reserve Forces

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

### 3.10 Carer's Leave

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

A dependant is:

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

A dependant has a long-term care need if:

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

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

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

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

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

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

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

# 4

## **FLEXIBLE WORKING AND FAMILY RELATED LEAVE**

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

### **4.1 Flexible Working**

All employees have the legal right *to request* flexible working. Employees can request a change to:

- the number of hours you work
- when you start or finish work
- the days you work
- where you work.

You can make *a request* for flexible working from your first day in a job.

The Council (through delegated powers to the Staffing Committee) will try, subject to the needs of the Council, to accommodate requests from employees, but are not under a legal duty grant a request.

Two requests per employee may be made in any 12-month period. This includes requests that have been withdrawn. You may have only one live request for flexible working with the Staffing Committee at any one time.

Your request will remain 'live' until any of the following happen:

- the Staffing Committee makes a decision
- you withdraw your request
- you agree an outcome with the Staffing Committee
- it's been 2 months since the date of your request.

Also a request will stay 'live' during:

- any appeal
- any extension to the 2 months decision period agreed between you and the Staffing Committee.

### **Requests.**

The request must:

- be made in writing
- state that it is a request for flexible working
- be dated
- set out the change requested
- set out when you would like the change to start
- set out if and when you have made any previous request for flexible working.

Your request must be submitted to the Clerk. If the request is made by the Clerk, it must be submitted to the Chairman of the Staffing Committee or in their absence to the Vice Chairman of the Staffing Committee.

When your request is received you will be invited to a meeting to discuss the request. The meeting will normally be conducted by the Clerk and the Chairman of the Staffing Committee. In the case of a request made by the Clerk the meeting will be with the Chairman and Vice Chairman of the Staffing Committee.

The meeting should take place **within 5 working days** of the request being received.

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

Your request must be dealt with in 'a reasonable manner', such as:

- assessing the advantages and disadvantages of the request
- discussing possible alternatives to the requested change
- offering an appeal process\*.

Following the meeting referred to above, an extraordinary meeting of the Staffing Committee will be called and *the existence of the request* will be notified to the Staffing Committee, without any details of the request itself being disclosed, and the Staffing Committee will appoint a panel of 3 members of the Staffing Committee to consider the request.

The Staffing Committee should meet and appoint the panel **within 10 working days** of the meeting referred to above. Members of the panel should not include the persons in receipt of the initial request where practical.

The panel should meet and consider the request **within 10 working days** of their appointment.

The panel will consider all the information provided by you, including any additional details obtained during the meeting referred to above. The panel may take advice from the Clerk in respect of the request. If the request has been made by the Clerk, the panel may take advice from the Clerk but the Clerk should withdraw whilst the panel discuss and decide the request.

The request may be refused on one or more of several grounds, these being that the requested change will result in:

- a burden of additional cost to the Council
- a detrimental effect on the ability to deliver the Council's services
- an inability to re-organise work among existing employees
- an inability to recruit additional employees
- a detrimental effect on the quality of your work
- a detrimental effect on the Council's performance
- an insufficiency of work during the periods you have requested to work
- a planned structural change
- any other ground allowed by regulations.

The panel may:

- approve the request
- refuse the request
- recommend that further discussions take place with you to explore any alternative changes to those you have requested.

If your request is approved by the panel their decision will be reported to the Chairman of the Staffing Committee who in liaising with the Clerk, will inform you of the panel's decision **within 24 hours** and agree a start date with you. The outcome will be notified to you in writing, with the agreed start date.

If your request is refused by the panel their decision, with the reasons for refusal, will be reported to the Chairman of the Staffing Committee who will inform you of the panel's decision and reasons **within 24 hours**. The outcome will be notified to you in writing.

If it is recommended that further discussions take place with you to explore any alternative changes to those you have requested, you will be informed of this outcome by the Chairman of the Staffing Committee. You will be invited to take part in those further discussions, with the panel, as soon as an agreed date is arranged. Following those discussions the panel will meet **within 5 working days** and may:

- decide your original request is approved
- decide your original request is refused
- decide the revised request is approved
- decide the revised request is refused.

The decision of the panel will be notified to you by the Chairman of the Staffing Committee and confirmed in writing, with reasons, **within 24 hours**.

### **Appeals.**

If you disagree with the decision of the panel in respect of your request for flexible working, the Council has created a process which allows you to appeal the decision.

An appeal is an opportunity

- for you to raise any new information not shared with the panel
- for you to ask that the panel's decision be reviewed and changed
- to find an outcome that is acceptable to both the Council and yourself.

Your appeal should be submitted in writing to the Clerk, or in the case of an appeal from the Clerk to the Chairman of the Staffing Committee.

Your appeal should be submitted **within 5 working days** of being notified of the panel's decision leading to the appeal.

Your appeal should set out

- why you think the panel's decision was not right
- why you think the procedure followed to consider your request was not reasonable
- what you would like to happen next.

On receipt of an appeal, the Clerk will inform the Chairman of the Staffing Committee. In the case of an appeal made by the Clerk, that appeal will be made directly to the Chairman of Staffing. Once the Chairman of Staffing is aware of the existence of an appeal, it will then be notified to the Staffing Committee at an Extraordinary meeting of the Staffing Committee.

No details of the reasons for the appeal should be disclosed to the Staffing Committee.

The Staffing Committee should meet within **10 working days** and appoint a panel of three members to consider the appeal. This panel should, where practical, not contain any of the members of the previous panel which considered the request.

The appeal panel should meet within **10 working days** of being appointed to consider the appeal.

You will be invited to attend the meeting of the appeal panel, accompanied by a fellow employee to assist in making any representations you feel are appropriate.

The appeal panel will consider your original request, the decision of the request panel, and may take advice from the Clerk in respect of the original request and the appeal. If the appeal has been made by the Clerk, the panel may take such advice from the Clerk, but the Clerk should withdraw whilst the panel discuss and decide the appeal. The panel will consider the grounds of your appeal set out in your written appeal notice and any additional information supplied by you during the appeal hearing.

The appeal panel may

- allow the appeal and grant flexible working as requested
- dismiss the appeal, setting out the reasons for dismissal.

The decision of the panel will be notified to you by the Chairman of the Staffing Committee and confirmed, in writing **within 24 hours**.

**The decision of the appeal panel concludes the process and is final.**

#### **Additional matters.**

If you cannot or do not attend an appeal hearing the Council, through the Staffing Committee, will contact you and rearrange the meeting.

If you do not attend a rearranged meeting and you do not have a good reason for this, we may consider that your appeal has been withdrawn.

If we consider that your appeal has been withdrawn, we will confirm this in writing to you.

Your request notice and panel's decision, and any appeal notice and panel's decision, will be placed in your personnel file.

Unless an extension is agreed between you and the Council, through the Staffing Committee, the decision to grant flexible working, or not, and the disposal of any appeal, should be completed **within 2 months** of the date of the original request.



If you have made a request for flexible working and it has been refused, and you have entered an appeal and the appeal has been dismissed and you wish to pursue the matter further, advice can be obtained on-line from

[www.gov.uk/flexible-working](http://www.gov.uk/flexible-working) and/or

[www.acas.org.uk/statutory-flexible-working-requests](http://www.acas.org.uk/statutory-flexible-working-requests)

## **4.2 Maternity Leave**

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

### **Notification**

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

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

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

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

### **Start of Maternity Leave**

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

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

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

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

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

### **Duration of Maternity Leave**

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

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

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

## **Dismissal or Resignation**

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

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

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

## **Enhanced Maternity Pay**

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

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

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

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

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

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

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

### **Returning to Work Early**

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

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

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

### **Returning to Work Late**

Following your maternity leave, you are required to return to work on the date notified to you as your expected date of return. If you are unwell on that date, then you should follow the sickness absence procedure set out in Section 5.2 of this handbook.

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

### **Maternity Suspension (Health and Safety Reasons)**

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

### **Maternity Support Leave**

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

## **4.3 Adoption Leave**

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

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

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

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

### **Notification**

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

Your notification should set out:

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

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

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

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

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

### **Adoption Pay**

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

### **Enhanced Adoption Pay**

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

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

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

### **Returning to Work Following Adoption Leave**

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

## **4.4 Paternity Leave**

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

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

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

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

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

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

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

## **4.5 Parental Leave**

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

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

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

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

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

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



## 4.6 Shared Parental Leave

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

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

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

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

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

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

## **4.7 Keeping in Touch Days**

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

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

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

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

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

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

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

# 5

## HOW WE RESOLVE ISSUES

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

### 5.1 Performance Improvement Procedure

It is in everybody's interest for employees to perform well at their jobs and the Council aims to ensure that all employees are given the support needed to ensure that they do so. Where there are concerns with performance then the employee will receive feedback from their line manager setting out these concerns. Discussions will take place about how that performance can be improved and as part of the Informal procedure, a Record of Improvement may be issued.

The Performance Improvement Procedure is designed to be used when such informal discussions do not lead to the employee's performance improving to an acceptable level.

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

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

All instances where a Record of Improvement or the Performance Improvement Procedure is used will be reported by the Clerk to the Staffing Committee, with updates on progress as soon as possible.

#### **The Right to be Accompanied**

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

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

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

## **Stage One**

Where an employee's performance has not improved following the issue of a Record of Improvement, the employee's line manager will inform them of the nature of the ongoing concerns and confirm this in writing, inviting them to a meeting to discuss the concerns raised. The meeting will be conducted by the employee's line manager and will consider any representations the employee may make about their performance, whether it needs to be improved, and if so, what steps can be taken to help the employee reach the appropriate level.

Following discussion of the problem, the line manager may choose to take no further action; to refer the matter for investigation under the disciplinary procedure or to issue a formal Performance Improvement Plan.

## **Performance Improvement Plan**

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

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

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

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

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

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

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

## **Review**

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

Following the successful completion of a PIP the employee's performance will continue to be monitored. If at any stage in the following 12 months, the employee's performance again starts to fall short of an acceptable standard, their line manager may decide to institute stage two of this procedure.

## **Stage Two**

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

In line with the Disciplinary Policy and Procedures, the hearing will be conducted by a panel of three councillors appointed by the Staffing Committee.

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

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

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

## **Stage Three**

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

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

In line with the Disciplinary Policy and Procedures The hearing will be conducted by a panel of three councillors appointed by the Staffing Committee.

If the Staffing Committee considers that there are no councillors who are independent (for example, because they have direct involvement in the allegations about the employee), it will appoint independent members of the panel from an appropriate outside body.

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

The panel conducting the meeting may make recommendations to the staffing committee to take such action as is judged appropriate up to and including a decision to dismiss the employee.

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

The Council's Disciplinary Policy and procedures can be found on the Council's website ([www.carnbreaparishecouncil.gov.uk](http://www.carnbreaparishecouncil.gov.uk)) or supplied upon request to the Clerk.

## **Appeals**

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

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

The appeal will be conducted by a panel of three councillors appointed by the Staffing Committee.

If the Staffing Committee considers that there are no councillors who are independent (for example, because they have direct involvement in the allegations about the employee or were part of the disciplinary process), it will appoint independent members from outside the Council.

## **Redeployment**

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

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

## **5.2 Sickness Absence Procedure**

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

The Council's Absence Management Policy can be found on the Council's website ([www.carnbreaparrishcouncil.gov.uk](http://www.carnbreaparrishcouncil.gov.uk)) or supplied upon request to the Clerk.

## 5.3 Bullying and Harassment Procedure

The Council are committed to providing a working environment free from harassment and bullying, which includes sexual harassment, and ensuring all employees are treated, and treat others, with dignity and respect. This includes harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions or on social media.

It covers harassment and bullying by employees (which may include consultants, contractors and agency workers) and also by third parties such as Councillors, volunteers, suppliers, contractors or visitors to our premises.

We have carried out a risk assessment of sexual harassment (including third party sexual harassment) and other different forms of harassment occurring in our workforce, including in different roles the steps we could take to reduce those risks and which of those possible steps are reasonable. This risk assessment will be reviewed annually.

This policy should be read together with the Equality, Diversity and Inclusion policy. Disciplinary Policy and Grievance policy. The Council will provide training to all line managers and employees to help them understand their rights and responsibilities under this policy and what they can do to create a work environment that is free of harassment, including sexual harassment, and bullying. We will also train managers to deal effectively with complaints of harassment, including sexual harassment, and bullying.

### Harassment

Harassment is any unwanted physical, verbal or non-verbal **conduct** that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. Harassment can occur whether or not it is intended to be offensive, as it is the effect on the victim which is important, not whether or not the perpetrator intended to harass them. Harassment or bullying is unacceptable even if it is unintentional.

Unlawful harassment may involve **conduct**:

- **related to a protected characteristic** of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation;
- of a sexual nature (**sexual harassment**); or
- of **treating someone less favourably because they have submitted, or refused to submit to, sexual harassment or harassment related to sex or gender reassignment** e.g. where a manager gives a junior employee a poor performance review because they rejected the manager's sexual advances.

Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include (this is a non-exhaustive list), for example:

- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender;



- disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes;
- offensive e-mails, text messages or social media content; or
- mocking, mimicking or belittling a person's disability.

Sexual harassment does not need to be sexually motivated; it only needs to be sexual in nature and may include (this is a non-exhaustive list), for example:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- intrusive questions about a person's private or sex life or a person discussing their own sex life; or
- sending sexually explicit e-mails or text messages or sexual posts/contact on social media.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment; or sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

### **Victimisation**

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- Bringing proceedings under the Equality Act 2010.
- Giving evidence or information in connection with proceedings under the Equality Act 2010.
- Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- Alleging that a person has contravened the Equality Act 2010.

Victimisation may include (this is a non-exhaustive list), for example:

- Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment/sexual harassment.
- Excluding someone because they have raised a grievance about harassment/sexual harassment.

- Failing to promote someone because they accompanied another employee to a grievance meeting.
- Dismissing someone because they gave evidence on behalf of another employee at an employment tribunal hearing.

**Harassment/sexual harassment and victimisation are unlawful and will not be tolerated.** The law requires employers to take reasonable steps to prevent sexual harassment of workers in the course of their employment. All employees are encouraged to report any harassment/sexual harassment or victimisation they are a victim of, or witness, in accordance with this policy. Harassment/sexual harassment or victimisation may lead to disciplinary action up to and including dismissal without notice if they are committed:

- In a work situation.
- During any situation related to work, such as at a social event with colleagues.
- Against a colleague or other person connected to us outside of a work situation, including on social media.
- Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

If any harassment/sexual harassment or victimisation of employees occurs, the Council take steps to remedy any complaints and to prevent it happening again. Action may include updating relevant policies, providing further employee training and taking disciplinary action against the perpetrator.

### **Third-party harassment**

Third-party harassment occurs where a person is harassed/sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation, or unwelcome sexual advances, from a client, customer or supplier visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

While an individual cannot bring a claim for third-party harassment alone, it can still result in legal liability when raised in other types of claim and will not be tolerated. The law requires employers to take reasonable steps to prevent sexual harassment by third parties. All employees are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy. Any harassment by an employee against a third-party may lead to disciplinary action up to and including dismissal.

The Council will take active steps to try to prevent third-party harassment of employees. Action may/will include; information in terms and conditions; providing regular training for managers and employees to raise awareness of rights related to sexual harassment and of this policy; provide specific training for managers to support them in dealing with complaints; take steps to minimise occasions where employees work alone; where possible ensure that lone workers have additional support; carry out a risk assessment when planning events attended by Councillors, volunteers and/or contractors. If any third-party harassment of an employee occurs, the Council will take steps to remedy any complaints and to prevent it happening again. Action may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police.

### **Bullying**

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include (this is a non-exhaustive list), for example:

- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- inappropriate derogatory remarks about someone's performance.

However, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

### **If you are being harassed/sexually harassed/victimised/bullied**

If you are being harassed/sexually harassed/victimised/bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your line manager (or the Chairman of the Staffing Committee where it concerns them) who can provide confidential advice and assistance in resolving the issue informally or formally. If informal steps are not appropriate, or have not been successful, you should raise the matter formally under our **Grievance Procedure** and it will be dealt with under that procedure,

The Council's Grievance Policy can be found on the Council's website ([www.carnbreaparishtcouncil.gov.uk](http://www.carnbreaparishtcouncil.gov.uk)) or supplied upon request to the Clerk.

### **Protection and support for those involved**

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

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

- The Equality Advisory and Support Service ([www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com))
- Protect ([www.protect-advice.org.uk](http://www.protect-advice.org.uk)).
- Victim support ([www.victimsupport.org.uk](http://www.victimsupport.org.uk)).
- [Rights of women (England and Wales) ([www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)) OR Scottish Women's Rights Centre (Scotland) ([www.scottishwomensrightscentre.org.uk](http://www.scottishwomensrightscentre.org.uk)).]

### **Record-keeping**

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

## **5.4 Disciplinary Procedure**

The Council always tries to deal with disciplinary issues fairly and promptly. The Council's Disciplinary Policy and procedures can be found on the Council's website ([www.carnbreaparrishcouncil.gov.uk](http://www.carnbreaparrishcouncil.gov.uk)) or supplied upon request to the Clerk.

## **5.5 Grievance Procedure**

The Council aims to be responsive to concerns raised by employees and if you are unhappy with something affecting you at work you are encouraged to raise this in line with the Council's Grievance Procedure which can be found on our website ([www.carnbreaparrishcouncil.gov.uk](http://www.carnbreaparrishcouncil.gov.uk)) or supplied upon request to the Clerk.

### **EMPLOYEE HANDBOOK RECEIPT**

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

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

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

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I acknowledge I have received a copy of the handbook and read and understood the policies and procedures contained within this handbook.

Received by ..... (Employee)

Signed .....

Date .....