



Town Clerk
Mrs S. Villafuerte-Richards (CiLCA)

Our Ref: EX 24.09.25
Date: 19/09/2025

Committee Membership:

S. Browne, D. Craggs (Vice-Chair & ex-officio), A. Goulder, K. Murphy, R. Peaty (Chair), J. Robertson (ex-officio) & L. Sinfield

For Information:

Councillors D. Collins, C. Dente, S. Kiddie, A. Kitchen & J. Welch

Diss Express

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Notice Of Meeting

Dear Members of the Public and Press,

You are cordially invited to attend an extraordinary meeting of the **Executive Committee** to be held in the **Ceremony Room** at the **Diss Town Council Office** on **Wednesday 24th September 2025** at **7.15pm** to consider the business detailed below.

Town Clerk / Chief Executive Officer

Agenda

1. Apologies

To receive and consider apologies for absence.

2. Nomination of Substitute Representatives

To note nominated substitute representatives attending in place of those who have sent their apologies.

3. Declarations of Interest and Requests for Dispensations¹

To note any declarations of member's pecuniary and/or non-pecuniary/other interests pertaining to items on the following agenda, to note any dispensations granted in respect of business to be discussed and to consider any requests for dispensations.

4. Minutes

To note the minutes of the Executive Committee meeting on Wednesday 3rd September 2025 will be considered at the next Executive Committee meeting.

5. Public Participation

To consider a resolution under Standing Orders 3d to 3h to suspend the meeting to hear comments from members of the public on items to be discussed on the agenda (*the period of designated time for public participation is 20 minutes, unless directed by the Chair of the meeting, and individual members of the public are entitled to speak for a maximum of five minutes each*).

6. Items of Urgent Business

To discuss any item(s) of business which the Chair or Town Clerk has previously been informed at least 24 hours before the meeting and decides should be considered as a matter of urgency (*Councillors are reminded that no resolutions can be made under this agenda item*).

7. Staff Handbook

- a) To consider and adopt a revised employee handbook containing all Council policies, reviewed by the Council's employment law advisors (copy details herewith).
- b) To consider the guidance on the new duty to prevent sexual harassment in the workplace (copy details herewith).

8. Date of Next Meeting

To note that the next meeting of the Executive Committee is scheduled to take place on Wednesday 3rd December 2025 at 7.15pm.

Notes

1 - Council has a statutory legal duty under the Localism Act 2011 s2 and has adopted a code dealing with the conduct that is expected of members in order to promote high standards of conduct as required by the Act. Members' disclosable pecuniary interests are kept on a register available to view on the Council's website. Allegations about the conduct of a councillor may be made to the district council's monitoring officer. Diss Town Council has also adopted a dispensation policy.

The reports and enclosures referred to in this agenda are available (unless marked confidential) for public inspection at the Council Offices during normal opening hours or on our website at <https://www.diss.gov.uk/executive>.

Employee Handbook Changes – August 2025

Code of Conduct – 1.1

Best practice update - Paragraphs have been relocated to sit under the disciplinary procedure.

Ethical conduct – 1.3

Best practice update – Updated to provide further clarity to employees the Council stance on bribery and corruption and additional paragraphs included to cover bribery.

Whistleblowing – 1.4

Best practice update – Amended to provide clarity on detrimental treatment when making a protected disclosure, potential action should an employee subject anyone to detrimental treatment and who this should be reported to.

Data Protection – 1.6

Best practice update – Updated to cross-reference to additional policies and confirmation that breach of these policies may amount to gross misconduct.

Computer Use – 2.8

Best practice update, but also recommended by the EHRC in line with their guidance in relation to The Worker Protection (Amendment of Equality Act 2010) Act 2023 – Updated to include harassment, and to clarify that any inappropriate behaviour will result in summary dismissal. Reporting procedure also included.

Social Media – 2.9

Best practice update, but also recommended by the EHRC in line with their guidance in relation to The Worker Protection (Amendment of Equality Act 2010) Act 2023 – Updated to include sexual harassment and third-party harassment. Clearer guidance to employees on use of their own social media and that breaches of the policy will result in disciplinary action up to, and including, dismissal.

Driving – 2.12

Best practice update – Updated to confirm that the Council will not be liable for any costs relating to accidents.

Sickness absence - 3.4

Best practice updates:

- Updated reporting procedure which may support the Council in managing sickness absence.
- Additional information on sickness absence payments included, in line with Green Book terms.

Annual Leave - 3.9

Best practice update – Updated to include legal rights to carry over of annual leave, where an employee has been prevented from taking leave due to sickness/absence or statutory leave.

Carer's Leave – 3.11

Legislative update to reflect new statutory leave under The Carer's Leave Regulations 2024.

Flexible Working – 4.1

Legislative update to reflect new legal changes to the right to request flexible working.

Maternity Leave – 4.2

Best practice updates – Information on Maternity Support leave now sits under 4.4.

Paternity Leave – 4.4

Legislative update to reflect the legal changes to the way in which statutory paternity leave can be taken.

Keeping in Touch Days/Shared Parental Leave Days - 4.7

Best Practice update – Updated to provide clarity on KIT and SPLIT days, including entitlements to pay/time off in lieu.

Neonatal Care Leave - 4.9

Legislative update to reflect new statutory leave under the Neonatal Care (Leave and Pay) Act 2023.

Sickness Absence Procedure – 5.2

Best Practice update – Clarity on appeals procedure.

Disciplinary Procedure – 5.3

Legislative update to reflect the new The Worker Protection (Amendment of Equality Act 2010) Act 2023.

Grievance Procedure – 5.4

Best practice update - The inclusion of a six-month time limit for raising grievances in your handbook is no longer recommended due to potential legal risks.

Redundancy Procedure – 5.5

Legislative update to reflect the Protection from Redundancy (Pregnancy and Family Leave) Act 2023.

Equal Opportunities Statement – 6.1

Best practice update – Updated to provide employees with additional detail on the Council's obligations under the Equality Act 2010, including in respect of Public Sector Equality Duties.

Harassment and Bullying – 6.2

Legislative update to reflect the new The Worker Protection (Amendment of Equality Act 2010) Act 2023.



Diss Town Council

Employee Handbook

[Reviewed September 2025]

WELCOME AND INTRODUCTION

Welcome to Diss Town 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 business.

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

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1

KEY PRINCIPLES

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

1.1 Council Code of Conduct

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

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

Refusal to carry out instructions

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

~~If you believe that you have been instructed to do something that does not fall within your duties or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see Section 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.~~

Commented [AW1]: Moved to section 5.3

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 staff members for ensuring that the Council meets its commitment to health and safety is available on our shared drive or from the Council Offices. In addition, there is information on health and safety displayed 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 the nearest available manager immediately. Genuine concerns about health and safety will always be treated with the utmost seriousness and thoroughly investigated.

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

1.3 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. [We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships.](#) Breach of this policy or ~~or~~ 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 management team.

No personal gifts of a value in excess of £10 should be accepted from a client/customer, supplier or potential supplier without express permission from the Town Clerk.

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

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

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

Bribery

Bribe means a financial or other inducement or reward for action which is illegal, unethical, a breach of trust or improper in any way. Bribes can take the form of money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or any other advantage or benefit.

Bribery includes offering, promising, giving, accepting or seeking a bribe.

All forms of bribery are strictly prohibited. If you are unsure about whether a particular act constitutes bribery, raise it with your manager or the Clerk.

Specifically, you must not:

- give or offer any payment, gift, hospitality or other benefit in the expectation that a business advantage will be received in return, or to reward any business received;
- accept any offer from a third party that you know or suspect is made with the expectation that we will provide a business advantage for them or anyone else;
- give or offer any payment (sometimes called a facilitation payment) to a government official in any country to facilitate or speed up a routine or necessary procedure;

You must not threaten or retaliate against another person who has refused to offer or accept a bribe or who has raised concerns about possible bribery or corruption.

If you are offered a bribe, or are asked to make one, or if you suspect that any bribery, corruption or other breach of this policy has occurred or may occur, you must notify your manager or the Clerk as soon as possible.

1.4 Whistleblowing

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

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

Employees who raise a concern which is in the public interest under 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. Employees who raise a concern are entitled not to be subjected to any detriment as a result, provided that the employee reasonably believes that the subject of the disclosure is in the public interest and the employee reasonably believes that the information disclosed and any allegation contained in it are substantially true.

Colleagues must not threaten or retaliate against whistleblowers in any way. If anyone is found to be involved in such conduct, they may be subject to disciplinary action. If

[you believe that you have suffered any such treatment as a whistleblower, you should inform the Clerk immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure.](#)

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

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

1.5 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 and fellow employees. In practice, this means 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.

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

You will comply with your obligations under our Data Protection Policy and other relevant policies as directed [including in relation to relation to IT and communications systems, social media, information security. Failure to do so may be dealt with under our disciplinary procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.](#)

1.7 Environmental Statement

In the undertaking of their daily duties, we accept that all staff associated with [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

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

2.2 Dress Code

All employees should dress in a manner appropriate to the work that they do. Key factors include whether or not the employee meets clients or customers and whether the requirements of health and safety require particular clothing.

The Council has a smart/casual dress code. If your 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 manager will amount to misconduct.

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

Employees required to wear Uniform

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

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

Personal Protective Equipment

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

2.3 Timekeeping

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

Where it is clear that you are going to be late for work you must contact 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 talk to your manager directly rather than leave a message with colleagues or send an email or text message.

If personal or domestic circumstances make it difficult for you to attend work on time, then you should discuss this with 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 business and the need to avoid placing an unfair burden on your colleagues (see Section 4).

2.4 TOIL

Time off in Lieu (TOIL) is time off which staff may take for hours worked beyond the normal working day.

TOIL should only be accrued in exceptional circumstances only; these exceptional circumstances include finishing important maintenance teamwork. Where possible, every effort should be made to avoid TOIL being accrued. Working additional hours is voluntary.

All TOIL must be recorded on the employee's time sheet and authorised by the individual's Line Manager and in their absence the Clerk.

TOIL cannot be accrued for lunch periods. If you work more than six consecutive hours daily, you are entitled to a 20-minute lunch break, which must be taken and recorded on all staff time sheets.

The additional hours needed should be sporadic or required for a limited period of time only. If it is for a period longer than a month, then the Clerk should review the overall staffing needs for the team to ensure working practices are effective.

The rate at which TOIL can be accrued is on a like for like basis, with the exception of event support whereby TOIL will be accrued at the rate of time and a half. This exception is required to incentivise maximum operational engagement.

All TOIL accrued in one calendar month must be used up within six weeks of accrual.

Only TOIL accrued in March be carried over from one tax year into the next and must be utilised in April. TOIL not taken within the six weeks of accrual will be lost. If there is no allowance for toil to be taken in this time due to staff shortages the Town Clerk

can authorise an extension to this time limit. There will be no financial compensation for any TOIL that is lost.

Managers should ensure that employees are given reasonable opportunities to take any accrued TOIL within the approved period.

Employees who choose to work outside their normal working hours through personal choice cannot claim TOIL for those hours unless authorised through their Line Manager.

The operation of TOIL depends on mutual trust. Any suspected abuse of TOIL will be treated as a disciplinary matter.

2.5 Adverse Weather and Traffic Disruption

Adverse Weather

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

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

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

Traffic Disruption

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

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

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

Delayed Return from holidays

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

If you are unable to travel into work

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

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

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

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

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

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

2.6 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.

Different areas of the business may have different arrangements for ad hoc breaks, such as to make a cup of tea or coffee. These arrangements are in place to ensure the smooth running of the business and to prevent putting unfair pressure on colleagues. You are required to comply with any requirements relating to such breaks as may be in place from time to time.

2.7 Smoking

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

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

2.8 Computer Use - Including the use of Email/Internet

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

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

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

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

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

Internet Use

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

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

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

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

Email

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

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

Using a Council/work email address to send inappropriate material, including content of a sexual, racist, ~~or~~ discriminatory or harassing nature, is strictly prohibited and may amount to gross misconduct resulting in summary dismissal. Should you receive any offensive or inappropriate content via email, you should inform a member of

management of this as soon as possible so that they can ensure that it is removed from the system. [You should also report such breaches in accordance with our Harassment and Bullying or Grievance policies.](#)

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 in to 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.

Data Security and Confidentiality

Your Line Manager must be satisfied that you are taking all reasonable precautions to maintain the confidentiality of material in accordance with our requirements.

You are responsible for ensuring the security of confidential information both at work and in your home, and when travelling to and from your workplace. You must not use your personal computer equipment for storing any confidential information.

You undertake to:

- a) ensure a secure password is used for accessing daily systems. If you feel it has been compromised, then contact the Council's IT Team to change it. All passwords must comply with their instructions relating to password security;
- b) only access work data from secure and trusted network locations such as the office or home (provided a suitable WiFi password is in use). Do not connect your device to any public WiFi with no security. MFA should be applied to all and any application that supports it;
- c) ensure antivirus and malware protection (ESET) is maintained, up to date and not indicating any errors. If errors do appear, contact the Council's IT team to resolve ASAP;
- d) comply with our instructions relating to software security and implement all updates to equipment as soon as you are requested to do so;
- e) encrypt and protect by password any confidential information held on any personal device or computer, or any data sent via Email;
- f) ensure Company Portal app is downloaded and registered correctly on your mobile for full protection of work apps and data;
- g) send work-related emails and messages through our designated communication facilities;
- h) only share data through our designated platforms (emails and SharePoint), or WhatsApp with a work supplied SIM;
- i) make all work-related calls through our designated video-conferencing software;
- j) maintain a private space for confidential work calls;
- k) ensure that any display screen equipment is positioned so that only you can see it or a privacy screen is used;

- l) lock your computer terminal whenever it is left unattended;
- m) ensure no one else in your home has access to confidential information stored on our equipment;
- n) change your wireless network passwords every three months and ensure that your wireless network router has software security updates applied;
- o) leave all papers containing confidential information securely at work to ensure that no one in your home has access to those papers; and
- p) shred or otherwise dispose securely of confidential information when it is no longer required, and at all times comply with our instructions on document retention.

To comply with data protection obligations, you will only store or process Council data or personal data on equipment which has been provided by or authorised by us.

If you discover or suspect that there has been a data breach or an incident involving the security of information relating to us, our clients, our customers, or anyone working with or for us, you must report it immediately to your Line Manager.

Privacy

Monitoring of email [and internet](#) usage takes place without notice. You should have no expectation of privacy in respect of personal and business use of email and the internet whilst at work.

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

2.9 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 our business interests or reputation, even indirectly. You must not use social media to:

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

Inappropriate or disparaging comments about the Council, colleagues or clients will be treated as misconduct. Because social media interactions can be copied and widely

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

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

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

You should not attempt to access social networking sites, such as Facebook/X (formerly known as Twitter) or similar on Council computers unless this is required as part of your Council role. This includes during break times.

Any misuse of social media that you see should be reported to your 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 we consider constitutes a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

2.10 Telephones

Council telephones must be used for legitimate business purposes only.

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

2.11 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 policy as "other substances") is based on the need to ensure a safe and productive working environment. Because of the serious nature of the risks posed by the abuse of alcohol, drugs and other substances in the workplace, any breach of the rules in this area will be treated as gross misconduct, which will usually result in dismissal.

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

Dependency

Employees who have a dependency on alcohol, drugs or other substances may be offered support and encouraged to seek appropriate counselling or medical help. Absence arising from treatment or counselling related to drug, alcohol or other

substance abuse will be treated as sickness absence under the Council's 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 managers, regulatory authorities or others should this be necessary to ensure safety or compliance with legal requirements.

Drugs

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

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

Medicines and Prescription Drugs

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

Alcohol

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

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

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

2.12 Driving

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

Licences will go through the Council inspection procedure, which requires us to check individual licences once a year with the DVLA, or as otherwise requested. The Council will require you to share your driving licence information by supplying it with your

driving licence number and a check code provided by the DVLA. If you receive any points on your licence, you must inform the Council of this immediately.

If you use your own vehicle to drive on Council/work-related business, it is your responsibility to arrange to be insured for that business use [as the Employer will not be liable for any costs in the event of an accident](#). The Council may require you at any time to allow a copy of your insurance and any MOT test certificate to be made and kept in our records.

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

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

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

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 your Line Manager 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 Town 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 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 Town Clerk.

2.13 Expenses

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

Expenses will only be reimbursed if they are:

- submitted to the Responsible Finance Officer on the appropriate claim form;
- submitted within 28 days of being incurred;
- supported by relevant documents (for example, VAT receipts, tickets, and credit or debit card slips); and
- authorised in advance where required.

Claims for authorised expenses submitted in accordance with this policy will be paid directly into your bank or building society account via payroll.

Any questions about the reimbursement of expenses should be put to the Responsible Finance Officer before you incur the relevant costs.

Travel expenses

We will reimburse the reasonable cost of necessary travel in connection with our business. The most economic means of travel should be chosen if practicable, and you should use existing travelcards or season tickets wherever possible. The following are not treated as travel in connection with our business:

- travel between your home and usual place of work;
- travel which is mainly for your own purposes; and
- travel which, while undertaken on our behalf, is similar or equivalent to travel between your home and your usual place of work.

Trains. We will reimburse the cost of standard class travel on submission of a receipt with an expenses claim form.

Taxis. We do not expect you to take a taxi when there is public transport available, unless it is cost effective due to a significant saving of journey time or the number of staff travelling together. A receipt should be obtained for submission with an expenses claim form.

Car. Where it is cost-effective for you to use your car for business travel, and you have been authorised to do so, you can claim a mileage allowance on proof of mileage. Details of the current mileage rates can be obtained from the Responsible Finance Officer. You can also claim for any necessary parking costs, which must be supported by a receipt or the display ticket.

We will not reimburse penalty fares or fines for parking or driving offences, other than at our discretion in exceptional circumstances.

Accommodation and other overnight expenses

If you are required to stay away overnight in the course of your duties, you should discuss accommodation arrangements with the Town Clerk in advance.

We will reimburse your reasonable out-of-pocket expenses for overnight stays, provided they are supported by receipts & at the discretion of the Town Clerk.

2.14 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 without prior approval.

Damage to Council Property

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

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

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

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

Return of Council Property

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

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

Employees' Property

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

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

Lost Property

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

2.15 Probationary Appraisal Policy

The performance of employees in their six-month probationary period will be reviewed after three months and at the end of the probationary period.

The Line Manager will schedule the review and give the employee at least one week's notice of their review. If the employee is not meeting the expectations required of the role at the three-month review, the Line Manager can opt to continue with employment and offer extra training to the employee to enable them to complete their probation.

At the end of the probationary period, the same appraisal form will be used to determine whether the employee will receive a letter confirming permanent employment. If the employee's work after the six-month period is unsatisfactory, the Line Manager can arrange for an extension of the probationary period by three months if they believe that the employee will meet the satisfactory requirement with extra time.

If, during the probationary period, the employee is found to be unsatisfactory, the employee will be asked to attend a review where it will be highlighted that the Council is considering terminating their contract due to issues with their performance, and the employee will have the right to bring a colleague representative to the meeting.

The employee will be given evidence of unsatisfactory performance and will be able to respond to any issues raised. A decision will then be made to offer further training and additional support where required, extend the employee's probation, or terminate the employee's contract.

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2.16 Training Policy

The Council is committed to the ongoing training and development of all employees to enable them to make the most effective contribution to the Council's objectives in providing the highest quality representation and services for the people of the town. Training can be defined as 'a planned process to develop the abilities of the individual, contribute to their continuing professional development and to satisfy current and future needs of the organisation'. The Council recognises that its most important resource (apart from its elected members) are its officers and staff and is committed to encouraging individuals to enhance their knowledge and qualifications through further training. Some training is necessary to ensure compliance with legal and statutory requirements.

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The Council expects senior officers to undertake a programme of continuing professional development (CPD) in line with the requirements of their professional bodies (such as the Institute of Local Council Management).

Providing training yields a number of benefits:

- It improves the quality of the services and facilities that the Council provides;

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- It improves the skill base of the employees, producing confident, highly qualified and motivated staff working as part of an effective and efficient team; and
- It demonstrates that employees are valued.

The process of development is as follows:

- Training needs should be identified by considering overall objectives of the Council as well as individual requirements;
- Planning and organising training to meet those specific needs;
- Designing and delivering the training (where appropriate);
- Evaluating the effectiveness of training.

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The Identification of Training Needs

Employees will be asked to identify their development needs with advice from their Line Manager during their performance management review. Staff training needs may also be identified through discussion with their Line Manager.

Other circumstances may present the need for training:

- Legislative requirements e.g Health and Safety, first aid etc;
- Changes to operational systems;
- New qualifications become available;
- Accidents;
- Professional error;
- New equipment;
- New working methods and practices, complaints to the Council;
- Delivery of new services.

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Employees who wish to be considered for a training course should discuss this in the first instance with their Line Manager. The Line Manager will consider, together with colleagues and budget available & with Council if required, to determine whether the training is relevant to the authority's needs and/or service delivery, the training costs represent value for money, and if there is sufficient funding available.

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Financial Considerations

Each request will be considered on an individual basis on the benefits to the individual and the Council & within the available budget.

Other considerations include:

- The implications of employee release for training course attendance on the operational capacity of the Council;
- The most economical and effective means of training (value for money);
- The provision and availability of the training budget and other demands on it.

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For approved courses, employees can expect the Council to fund the following:

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- The course and registration fee
- The examination fees (if any)
- Associated membership fees (if any)
- One payment to re-take a failed examination or assignment
- Travel costs
- Accommodation costs (only if necessary and only by prior agreement).

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Staff attending training courses must inform their Line Manager immediately of any absence, giving reasons.

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Failure to sit an examination (where there is one) may result in the Council withdrawing future course funding and/or requesting the employee reimburse the Council. Each case will be considered on an individual basis.

The Council operates a Return of Service agreement. Any employee receiving training at the Council's expense, which costs £100 or more (or several courses which together cost more than £100) must be aware that should they leave the employment of the Council within one year of completion of the qualification, they may be required to repay all costs associated with the undertaking of such training.

In the case of further education, such as the Certificate in Higher Education or Degree course, employees may be required to repay all costs associated with the study if they leave within two years following the completion of the course. You may be required to sign a training fee agreement.

Decisions will be made on a case-by-case basis by the Executive Committee.

Study Leave

Employees who are given approval to undertake external qualifications are granted the following:

- Study time to attend day-release courses
- Time to sit examinations
- Study time to be discussed and agreed with the Town Clerk and Executive Chair in advance.

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Short Courses/Conferences and Continuing Professional Development

Duration of travel and attendance on a full day or half day (short) course to attend training, will be on full pay or TOIL.

Staff attending workshops, residential or day conferences can expect the following to be paid by Council:

- The course or conference fee (with accommodation and meals if this forms part of the cost package)
- Travelling expenses in accordance with Council policy
- Subsistence in accordance with Council policy
- Council may also pay an additional nights' accommodation where this will improve the ability of the attendee to gain most of the event where significant travel is required.

Evaluation of Training

Records of all training undertaken by employees will be kept in the personnel files of each member of staff.

As part of the Council's continuing commitment to training and development, employees are asked to provide feedback on the value and effectiveness of the training they undertake highlighting in particular the key implications of new legislation, guidance and/or best practice for the ongoing efficiency and effectiveness of the authority.

2.17 Performance Appraisal Policy

At Diss Town Council, we are committed to fostering a fair and supportive workplace for all employees. This policy aims to ensure consistency in staff evaluations and provide a structured framework for assessing performance, supporting professional growth, and achieving organisational goals.

Performance appraisals provide an opportunity for staff to reflect on their accomplishments, identify areas for growth, and align their development with the Council's values and objectives. For those eligible for pay progression, appraisals also inform recommendations based on performance throughout the review cycle.

Through this process, we aim to:

- Maintain clear communication of expectations.
- Recognise and celebrate staff contributions.
- Support skill enhancement and career progression.
- Reinforce the Council's commitment to equality and inclusivity.

Line managers play a critical role in facilitating open communication and regular one-to-one engagements to complement the annual appraisal process. While appraisals

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focus on development and performance enhancement, they are separate from the Council's formal capability, disciplinary, and grievance procedures.

What Is a Performance Appraisal?

A performance appraisal is periodic evaluation (at least annual) of an employee's contributions, measured against defined competencies and objectives. This structured process allows staff and their line managers to discuss achievements, set goals, and identify professional development opportunities.

Key features include:

- **Annual Cycle:** Appraisals will be conducted in August and September to inform the training plan and budget for the following financial year.
- **Core Competencies:** Discussions focus on Council-wide expectations and role-specific skills (including review of job description)
- **Constructive Feedback:** Line managers or the Town Clerk provide actionable insights to guide improvement and celebrate successes.
- **Recognition of Potential:** Appraisals highlight achievements and explore future growth opportunities.

Benefits of the Appraisal Process

For Diss Town Council

Performance appraisals enhance organisational effectiveness by:

- Recognising and utilising employees' unique talents and skills.
- Identifying ways to improve working conditions, productivity, and quality of work.
- Supporting skill and career development initiatives.
- Facilitating strategic decision-making, including succession planning and internal promotions.
- Addressing behavioural issues proactively.

For Employees

Appraisals provide a positive platform for employees to:

- Receive recognition for their achievements and contributions.
- Gain clarity on areas for improvement and set actionable goals.
- Identify training needs to support career development.
- Discuss long-term career aspirations and feel invested in their professional journey.
- Explore opportunities for promotion or pay progression.

Appraisal Meetings

Performance appraisals are designed to encourage constructive, two-way communication. These meetings offer a dedicated opportunity to review past performance, set future goals, and discuss development opportunities in a supportive environment.

Preparation by both employee and line manager is key to a meaningful dialogue about performance, challenges and aspirations.

- **Line Managers:** Ensure access to job descriptions, previous objectives, records of training, and a completed draft appraisal form.
- **Employees:** Review past objectives, gather evidence of progress, and complete a self-appraisal form to bring to the meeting.

Meetings should be conducted as follows:

- Scheduled with at least five working days' notice.
- Discussions will take place in a confidential and distraction-free setting.
- Feedback will focus on constructive guidance, aligning expectations, and actionable outcomes.

The Executive Committee supports the Town Clerk and line managers by providing training on conducting appraisals effectively.

The Town Clerk will be present at all staff appraisal meetings to ensure consistency.

Final appraisal assessments are reviewed by a panel comprising the Town Clerk, Executive Chair, and another Executive Member before being presented to Full Council.

2.18 General

Statements to the Media

Any statements to reporters from newspapers, radio, television etc. in relation to our business will be given only by the Town Clerk or through his / her delegation.

Parking

All cars parked in parking areas provided by the Council 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

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

3.1 Unauthorised Absence

Employees who deliberately fail to attend work without a 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 that will require regular appointments during the working day should discuss their situation with their manager so that appropriate arrangements can be made.

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

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 antenatal 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 manager of the date and time of the appointment. You may be asked to provide written evidence that an appropriate appointment has been made.

Adoption Appointments

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

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

3.4 Sickness Absence

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

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

Infectious Disease

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

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

Reporting Sickness Absence

If you are too ill to come into work, you should personally inform your Line Manager of this fact as soon as possible and in any event within the first hour of your start time. The following details should be provided:

- The nature of your illness or injury.
- The expected length of your absence from work.
- Contact details.
- Any outstanding or urgent work that requires attention.

When you phone in sick, you must make every effort to speak to your manager directly. Do not simply leave a message with a colleague or send an email or text. If you need to leave a message for your manager, then they may contact you during the day to discuss your absence with you.

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

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

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

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

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

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

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

Employees will be required to attend a return-to-work meeting after any period of sickness absence exceeding 4 days. The purpose of the meeting is to check on the employee's general health and well-being, to catch up regarding anything that the employee may have missed, and to discuss whether there are any concerns in respect of absence levels.

Annual Leave and Sickness Absence

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

Phased Return to Work

As an employee recovers from illness or injury, it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. The Council will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a

bridge between sickness absence and normal working, and so any such arrangements will be time-limited and will not normally extend over more than three months.

Alternative Work

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

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

Disability and Reasonable Adjustments

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

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

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

Contractual Sick Pay

~~In addition to Statutory Sick Pay (SSP) the Council also offers an enhanced Sick pay scheme in line with the Green book provisions. An employee's entitlement under this scheme is linked to their length of service, and will be as follows: If you are absent from work due to sickness or injury and you comply with the requirements set out above including the notification and certification requirements, you will be entitled to the following Sick Pay in any rolling 12-month period (pro-rated for part time staff) as per your contract of employment.~~

~~If you exhaust or do not qualify for the sick pay entitlement in your contract, you will receive any Statutory Sick Pay (SSP) entitlement. For the purposes of SSP, your qualifying days shall be your normal working days. SSP is not payable for the first three days of absence (waiting days).~~

~~You will not be entitled to Council sick pay if you refuse to cooperate with referrals to occupational health or other measures aimed at helping you to return to work. The fact that an employee has not exhausted Council sick pay will not prevent the Council from~~

[proceeding to dismissal under the procedure for dealing with long-term absence described in Section 5.2.](#)

[If your sickness absence is the result of reckless behaviour on your own part – such as participation in a high-risk sport or arising from disorderly conduct - then any payment of Council sick pay will be entirely at the Council's discretion.](#)

3.5 Jury Service/Other Time Off

There are a number of circumstances in which employees have a right to time off from work, either with or without pay. These include jury service and certain public duties such as serving as a local councillor, magistrate or school governor. Where a need for such time off arises you should discuss the matter with the Town 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 business, the Council may require you to seek a deferment.

3.6 Compassionate/Bereavement Leave

In the event an employee suffers a bereavement in their family, the Council will grant up to three days of immediate paid leave. The Council will also grant further paid leave (up to three days) to attend a funeral.

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

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

3.7 Parental Bereavement Leave

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

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

Notification

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

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

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

Parental Bereavement Pay

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

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

Other leave entitlements

In addition to parental bereavement leave, if you qualified for:

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

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

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

3.8 Emergency Time Off for Dependants

The Council recognises that situations arise where you need to take time off work to deal with an emergency involving someone who depends on you. Your husband, wife or partner, child or parent, or someone living with you as part of your family can all be considered as depending on you. Others who rely solely on you for help in an emergency may also qualify. For further detail as to who counts as depending on you and guidance on individual circumstances, please speak to your 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 manager in advance of any absence you should contact your 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 the Town Clerk who will discuss what arrangements can be made to grant you compassionate leave. These arrangements will always be at the discretion of the Council and will depend on the circumstances of the case and the impact that any absence on your part may have on the business. However, the Council will be sympathetic to your need for time off (which may be paid or unpaid at our discretion) to deal with the situation and make any arrangements that may be necessary.

3.9 Annual Leave

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

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

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

What notice do I need to give?

All requests for leave should be made at least 4 weeks in advance. The means of requesting leave may change from time to time and you should comply with whatever procedure is in place at the time of the request.

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

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

Our Holiday Year

All employees are encouraged to take their full holiday entitlement during the holiday year which runs from 01 April to 31 March. However, it is your responsibility to schedule your holiday so that it can be taken at an appropriate time.

~~Employees will not usually be permitted to carry over holiday entitlement into the following holiday year.~~

~~In certain circumstances, at the Council's discretion and subject to certain rules, the carrying over of a proportion of annual leave may be allowed. You cannot carry forward more than 5 days of untaken holiday from one holiday year to the following holiday~~

year unless you have been prevented from taking it in the relevant holiday year by one of the following: a period of sickness absence or statutory maternity, paternity, adoption, shared parental, parental, parental bereavement, carer's, or neonatal care leave. In cases of sickness absence, carry-over is limited to four weeks' holiday per year less any leave taken during the holiday year that has just ended. Any such carried-over holiday which is not taken within eighteen months of the end of the relevant holiday year will be lost.

If you do not take your annual leave within the leave year in which it accrued, you will lose the right to take it, unless one of the carry forward provisions referred to above applies.

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

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

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

3.10 Reserve Forces

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

3.11 Carer's Leave

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

A dependant is:

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

A dependant has a long-term care need if:

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

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

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

- Specify that you are entitled to take carer's leave;
- Specify the days on which you would like to take carer's leave and if you will take a full or a half day; and
- Be given 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, at our absolute discretion, waive the notice length requirement above, and as long as the other requirements are met, the request will be treated as one for carer's leave.

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

4

FLEXIBLE WORKING AND FAMILY-RELATED LEAVE

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

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

~~Requests for a change in working arrangements can be made by any employee with at least 26 weeks' continuous service with the Council at the time the request is made. Further, only one request per employee may be made in any 12 month period. Requests for a change in working arrangements can be made by any employee. Two requests per employee may be made in any 12-month period (which includes requests that have been withdrawn). However, you may have only one live request for flexible working with the Council at any one time.~~ The request should:

- ~~1.~~ be made in writing and state this is a flexible working request;
- ~~4.2.~~ be dated;
- ~~2.3.~~ set out the change requested, including when you would like the change to come into effect; and
- ~~3.4.~~ describe the impact that the change will have on the operation of the business and how any difficulties caused by the change may be addressed, set out if and when you have made a previous request for flexible working to the Council.

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

The meeting will normally be conducted by the employee's Line Manager.

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

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

- a burden of additional cost;
- a detrimental effect on ability to meet customer demand;
- an inability to re-organise work among existing staff;
- an inability to recruit additional staff;
- a detrimental effect on quality;
- a detrimental effect on performance;
- an insufficiency of work during the periods you propose to work;

- a planned structural change; and
- any other ground allowed by regulations.

In refusing any request the Council will explain the reasons for the refusal in writing and may make an offer of an alternative arrangement. Discussions may then take place to try to agree a way forward. If no agreement is reached then the employee's terms and conditions will remain unchanged, subject to the right of the employee to appeal the decision. Before refusing a request, the Council will consult with you to discuss the application further, which may include exploring any alternatives that may be available. If no agreement is reached and the request is rejected, this will be confirmed in writing, and your terms and conditions will remain unchanged, subject to your right to appeal the decision. The process (including any appeal) will be concluded within 2 months of the request being made, unless a longer period is agreed.

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

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

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

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

4.2 Maternity Leave

All employees who give birth are entitled to take maternity leave, which lasts for a maximum of 52 weeks. Employees with at least 26 weeks continuous six months' service immediately before the 15th week prior to the expected week of childbirth (EWC) 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 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 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 an appropriate manager and the Council will attempt to accommodate your changed circumstances. However, the Council may need to insist on delaying the start of your leave until at least 28 days have passed since your notification of a changed date.

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

Maternity Pay

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

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

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

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

Returning to Work Early

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

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

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

Returning to Work Late

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

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

Maternity Suspension (Health and Safety Reasons)

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

Maternity Support Leave

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

4.3 Adoption Leave

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

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

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

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

Notification

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

Your notification should set out:

- the date when the child is expected to be placed with you; and

- the date when you want to start your adoption leave.

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

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

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

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

Adoption Pay

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

Returning to Work Following Adoption Leave

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

4.4 Paternity Leave

Employees with 26 weeks' continuous service as at the 15th week before the expected week of childbirth 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. Employees with 26 weeks' continuous service, either ending with the 15th week before the expected week of childbirth or ending the week in which the 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.

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Employees entitled to take paternity leave are entitled to take ~~either one or two weeks of leave which can be taken as two consecutive weeks, or two non-consecutive blocks of one week.~~ If two weeks are taken they must be consecutive and no individual days can be taken except with the agreement of the Council.

Paternity leave cannot start before a child is born and must be taken at some stage within the first ~~year eight weeks~~ following birth (except when the child is born prematurely in which case the leave must be taken within the ~~eight~~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 ~~those eight weeks~~ that year.

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

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

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.

Adoption Support Leave

Paid Adoption support leave of 5 days (deemed inclusive of any statutory paternity pay) will also be granted to the partner or the nominated carer of the primary adopter at or around the time of placement. A nominated carer is the person nominated by the primary adopter to assist in the care of the child and to provide support to the primary adopter at or around the time of placement.

Commented [AW2]: The Green Book recommend that employers extend any Maternity Support Leave to apply to adoption.

Are you happy to extend?

4.5 Parental Leave

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

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

Parental leave must usually be taken in blocks of one week or more and no more than four weeks' leave will be granted in a single year. However, more flexibility is available

in respect of disabled children, and you should discuss your requirements with the Town Clerk if this applies to you.

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

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 if both are working and 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 indicate the pattern of leave that they propose to take.

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

An employee absent on shared parental leave will be entitled to a weekly payment equivalent to the lower fixed rate of SMP. The number of weeks for which payment will be made will vary depending on the amount of SMP paid to the mother while on

maternity leave. Essentially, if the mother ends (or proposes to end) her leave with 10 weeks of SMP entitlement remaining, the parent taking shared parental leave will be entitled to be paid for the first 10 weeks of leave.

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

4.7 Keeping in Touch Days/Shared Parental Leave Days

Employees during a period of maternity ~~and~~ adoption ~~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 shared parental leave in touch days (SPLITKIT days).

KIT and SPLIT 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 KIT or SPLIT keeping in touch days.

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

~~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 business. However, we appreciate that many employees would prefer to be left alone at this very important time in their lives. In order to get the balance right, your 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.

4.9 Neonatal Care Leave

This policy is intended to reflect the statutory provisions and provides guidelines only. If there is any conflict between this policy and the statutory provisions, the latter will prevail.

Employees are entitled to statutory neonatal care leave (SNCL) if a child born on or after 6 April 2025, for whom they have parental responsibility, is receiving, or has received, "neonatal care" which started within 28 days of birth and has lasted for seven full consecutive days, not counting the day on which the care starts (and in adoption cases, not counting any time spent in neonatal care before being placed/entering GB) (the "qualifying period"). "Neonatal care" means medical care in hospital or any

Commented [AW3]: This policy reflects the new statutory right for employees to take up to 12 weeks neonatal care leave and pay for babies born on or after 6 April 2025 who require specialist neonatal care. It comes with various requirements and timeframes for notification.

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continuing hospital outpatient care (including monitoring and home visits from healthcare professionals directed by a consultant and arranged by the hospital), or palliative/end-of-life care. The SNCL must be taken for the purpose of caring for the child (save for a subsequent bereavement).

SNCL can be taken in weekly blocks for every uninterrupted week their child received neonatal care, starting no earlier than the day after the qualifying period (as above), up to a maximum of 12 weeks, and must be taken within 68 weeks of the birth. So, for the first week of SNCL taken, the earliest it can start is on day 9 of being in neonatal care.

Up until the 7th day after the child stops receiving neonatal care (including if it stops but starts again within 28 days of birth and providing the qualifying period is met), the weekly blocks can be taken either continuously or non-continuously. After that, the weekly blocks must be taken continuously.

Notification

Up until the 7th day after the child stops receiving neonatal care you only need to give notice to us to take SNCL before you are due to start work on the first day of each week of leave or, where this is not possible, as soon as reasonably practicable. If you have already started work, then officially your SNCL period will start on the following day.

When giving notice you must specify: the child's date of birth; in adoption cases, the date of placement or the date the child entered GB; the date(s) the child started to receive neonatal care; if it stopped, the date(s) it ended; the date(s) you wish SNCL to begin and how many weeks for; confirmation you are taking the leave to care for the child; and if it is the first notice for that child, confirmation you meet the eligibility requirements as to family relationship with the child.

Where the neonatal care is ongoing, you must notify us of the date the care ends, as soon as is reasonably practicable. If the child starts to receive neonatal care again, you must notify us of the start date and the end date, as soon as reasonably practicable in each case.

You can give the above notice by telephone or by email or by letter. However, if telephoning, it would be helpful if it was subsequently put in writing at least within 28 days of the first day your SNCL in order to maintain an accurate record of what is being requested, and in any event must be done so if claiming statutory neonatal care pay (see below).

After 7 days after the child stops receiving neonatal care, you need to give us at least 15 days' notice if you want to take a single week of SNCL, or at least 28 days' notice if you want to take two or more consecutive weeks' of SNCL. The notice must be in writing and specify the same information as set out above. You can cancel it and/or rebook it with the same amount of notice.

Neonatal Care Pay

To qualify for statutory neonatal care pay (SNCP) during SNCL, you must have average weekly earnings of at least the lower earnings limit and at least 26 weeks' continuous employment by the end of the relevant week, which is: the 15th week before the expected week of childbirth (in birth and surrogacy cases); the week in which the adoption agency or local authority notified you of a match (in UK adoption cases); or the week before the neonatal care starts (in any other case). You will

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already meet these criteria if you have qualified for statutory maternity/paternity/adoption/shared parental pay. It is paid at the same rate as statutory paternity pay, which is subject to change every year. You can check the most up-to-date figure with the Responsible Finance Officer.

Up until the 7th day after the child stops receiving neonatal care, to claim SNCP, you must give notice in writing stating the week(s) in respect of which the payments are to be made and with the same information specified as when claiming SNCL, within 28 days of starting any period of SNCL you are claiming SNCP for. You can provide this information at the same time as giving notice to take SNCL, so long as it is in writing.

Seven days after the child stops receiving Neonatal Care, to claim SNCP, you must give us the same amount of notice and the same information, in writing, as you must give if you want to take SNCL and state the week(s) in respect of which payments are to be made.

Interaction with other family leave

SNCL is in addition to other forms of statutory leave, so long as it is taken within 68 weeks of the child's birth. So, for example, if you are taking maternity/adoption/paternity leave, you may add a period of SNCL onto the end of that leave. It acts as a 'top-up' to give back an amount of statutory family leave that an employee has effectively lost while their child is receiving neonatal care.

If your SNCL is interrupted by the start of another pre-booked period of statutory family leave (such as paternity leave, parental leave or shared parental leave), then the interrupted SNCL period will resume straight away after the end of the other leave, provided the neonatal care is still ongoing or has ended within the last week. If the neonatal care ended more than a week ago, the remainder of the interrupted NCL must be taken consecutively with any further period of NCL that you are intending to take. Also, if the neonatal care ended more than a week ago and you want to book NCL, you should ensure that it will not be interrupted by the start of another period of family leave you have booked.

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4.94.10 Homeworking and Hybrid Working Policy

We support homeworking in appropriate circumstances, either occasionally (to respond to specific circumstances or particular tasks) or on a regular (full or part-time) basis. Homeworking can also be a means of accommodating a disability and can be requested as a means of flexible working under our Flexible Working Policy. If you are permitted to work from home, you must comply with this policy.

We recognise that there are a number of homeworking arrangements that you may request, and that these arrangements may be requested as part of a flexible working application, such as:

- a) working from home as your main place of work;
- b) working from home on a part-time basis on fixed days of the week; or
- c) splitting your working time between the workplace and your home subject to business factors and manager approval.

If you want to vary your working arrangements so that, either permanently or temporarily, you work from home for all or part of your working week, you will need to

make a flexible working request in accordance with our Flexible Working Policy. Any request to work from home must meet the needs of our business as well as your needs.

A hybrid working arrangement is an informal, flexible working arrangement that allows you to split your working time between the workplace and an agreed remote working location, such as your home. Hybrid working arrangements will differ depending on the nature of your role, duties, and responsibilities, and so are discretionary and subject to agreement in writing with your Line Manager.

Any agreed hybrid working arrangement is subject to the requirement for you to attend the workplace on our reasonable request to accommodate the needs of our business, such as to attend training or meetings. All hybrid working arrangements are subject to ongoing review and may be modified for reasons including a change in business needs or performance concerns.

Conditions Necessary For Homeworking/Hybrid Working

Not all roles and not all jobs are suitable for homeworking/hybrid working. You should not assume that a flexible working application to work from home will automatically give you the right to amend your working hours or any other aspect of your working arrangements.

A request for homeworking or hybrid working is unlikely to be approved, on either an occasional or permanent basis, if:

- a) you need to be present in the workplace to perform your job (for example, because it involves a high degree of personal interaction with colleagues or third parties, or involves equipment that is only available in the workplace);
- b) your most recent appraisal identifies any aspect of your performance as unsatisfactory;
- c) your Line Manager has advised you that your current standard of work or work production is unsatisfactory;
- d) you have an unexpired warning, whether relating to conduct or performance; or
- e) you need training or supervision to deliver an acceptable quality or quantity of work.

If you wish to apply to work from home or are working under a hybrid working arrangement, you will need to be able to show that you can:

- a) have a suitable working environment at your home that enables you to carry out your role effectively;
- b) continue to work the hours required by your contract of employment;
- c) work independently, motivate yourself, and use your own initiative;
- d) manage your workload effectively and complete work to set deadlines;
- e) identify and resolve any new pressures created by working at home;
- f) adapt to new working practices, including maintaining contact with your Line Manager and colleagues at work;

- g) make arrangements for the care of any children or other dependants when you are working from home; and
- h) determine any resulting tax implications for yourself.

Location

If a homeworking arrangement is in place, you will be required to work from your home address. If you wish to work from a different location at any time, you will need to agree this with your Line Manager in advance, and that request is subject to their written approval.

Under a hybrid working arrangement, your primary remote working location should be agreed with your Line Manager in advance and is subject to their written approval. Your primary remote working location must be within commuting distance of your workplace unless written approval has been provided by your Line Manager. You will be required to finance any travel and/or related expenses incurred when travelling to and from your remote working location and your workplace.

Management, Training And Workplace Attendance

Your Line Manager will remain responsible for supervising and assessing you in the same way as staff based in the workplace, and will agree the best way to appraise your performance and provide ongoing supervision in a remote way. Your Line Manager will regularly review your working arrangements and take steps to address any perceived problems. They will ensure that you are kept up to date with any changes to the workplace or information relevant to your work.

You will be subject to the same performance measures, processes, and objectives that would apply if you worked permanently in the workplace.

If you receive an unsatisfactory grade in an appraisal or informal review, or are subject to a written warning for any reason, your homeworking/hybrid working arrangements may be terminated immediately, in which case you will be expected to return to work in the workplace.

You will be provided with the same opportunities for training, development, and promotion as provided to staff based in the workplace. If your working arrangements will impact on your ability to apply for certain roles, your Line Manager will discuss this with you to ensure that you are not denied any opportunity unfairly.

You agree to attend the workplace or other reasonable location for meetings, training courses or other events which we expect you to attend.

You understand that when you do attend the workplace, you may have to hot-desk or share a desk with someone else.

Health And Safety

When working at home, you have the same health and safety duties as other staff. You must take reasonable care of your own health and safety and that of anyone else who might be affected by your actions and omissions. You must attend our usual health and safety courses, read the Health and Safety Policy, which is available from the Council Offices, and undertake to use equipment safely.

To identify any potential health and safety hazards in the home and take appropriate steps to minimise risk, we retain the right to carry out a health and safety risk assessment (either remotely or by arranging a home visit) before or shortly after you begin homeworking. We will contact you to arrange completion of the risk assessment. The need for these inspections will depend on the circumstances, including the nature of the work you undertake.

You must not have meetings in your home with customers or give customers your home address or telephone number.

You must ensure that your working patterns and levels of work when working at home are not detrimental to your health and well-being. If you have concerns about your health or wellbeing arising as a result of your workload or working pattern, you should inform your Line Manager without delay so that we can discuss measures to deal with this.

You must use your knowledge, experience, and training to identify and report any health and safety concerns to your Line Manager.

Equipment and Suitable Workspace

We will provide the equipment that we consider you reasonably require to work from home. We will make all necessary arrangements for and bear the cost of installing, maintaining, repairing or replacing (where necessary), and removing equipment from your home. Where equipment is provided, it remains our property, and you must:

- a) ensure it is only used by you and only for the purposes for which we have provided it;
- b) take reasonable care of it and use it only in accordance with any operating instructions and our policies and procedures;
- c) make it available for collection by us or on our behalf when requested to do so; and
- d) not use any personal device or computer for work.

When travelling between your remote working location and your workplace, you agree to keep the equipment provided by us secure at all times.

On termination of your homeworking/hybrid working arrangement or on termination of your employment, you must return all equipment provided by us. Where necessary, we may need to arrange a home visit to reclaim equipment and will contact you to make the appropriate arrangements.

It is your responsibility to ensure that you have a suitable workspace at home with adequate lighting for working from home. We are not responsible for the associated costs of you working from home, including the costs of heating, lighting, electricity, broadband internet access, mobile or telephone line rental, or calls.

If you have a disability, you should inform us if you require any specialised equipment to work from home comfortably.

Insurance Requirements

We are responsible for taking out and maintaining a valid policy of insurance covering any equipment we provide against fire, theft, loss, and damage throughout your employment.

We are not liable for any loss, injury, or damage that may be caused by any equipment that is not provided by us but required by you to work from home.

You are responsible for ensuring that working from home will not invalidate the terms of your home insurance. You should ensure that you check your home insurance policy before commencing homeworking and inform your home and contents insurance provider of your working arrangements as required.

You should check the terms of your mortgage, lease, or rental agreement before commencing working from home to ensure this does not breach any of the terms. It is your responsibility to inform your bank, mortgage provider, or landlord that you are working from home and seek any necessary approval before commencing homeworking.

When you are working at or from home, you are covered by our insurance policy. Any accidents must be reported immediately to your Line Manager in accordance with our Health and Safety Policy.

Data Security and Confidentiality

Your Line Manager must be satisfied that you are taking all reasonable precautions to maintain the confidentiality of material in accordance with our requirements.

You are responsible for ensuring the security of confidential information in your home and when travelling to and from your workplace. You must not use your personal computer equipment for storing any confidential information.

Refer also to section 2.8.

To comply with data protection legislation, we retain the right to conduct a data protection impact assessment (DPIA) to assess the risks involved with data processing in the home. Where this is necessary, we will contact you to arrange the DPIA.

Termination Of Homeworking or Hybrid Working Arrangement

We reserve the right to terminate your homeworking or hybrid working arrangement, for example, due to a change in business needs, performance concerns, or if your role changes such that homeworking or hybrid working is no longer suitable, subject to 4 weeks' notice.

5

HOW WE RESOLVE ISSUES

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.

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

5.1 Performance Improvement Procedure

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

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

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

The Right to be Accompanied

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

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

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

Stage One

The employee's manager will inform them of the nature of the problem and confirm this in writing. The employee will be invited to a formal performance management

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

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

Performance Improvement Plan

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

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

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

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

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

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

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

Review

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

Following the successful completion of a PIP the employee's performance will continue to be monitored. If at any stage during the lifetime of the first written warning the

employee's performance again starts to fall short of an acceptable standard, their Line Manager may decide to institute stage two of this procedure.

Stage Two

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

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

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

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

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

Stage Three

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

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

The hearing will be conducted by an appropriate manager.

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

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

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

Appeals

An employee may appeal against any decision taken under this procedure. The appeal should be submitted in writing stating your full grounds of appeal within one week of the action complained of. An appeal hearing will then be convened to consider the

matter. Any PIP that is in force, together with any measures or objectives included within it, will continue in place during the appeal process.

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

Redeployment

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

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

5.2 Sickness Absence Procedure

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

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

Short-term Absence

An employee who is absent on more than five occasions or more than 10 days within a 12-month period will be invited to a meeting to discuss their attendance.

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

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

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

If the employee's attendance does not improve to the extent required, they may at any stage in the review period be invited to attend a second-stage meeting to discuss the

matter. The meeting will again be conducted by the Line Manager, and the employee will be entitled to be accompanied by a fellow employee or trade union official. This meeting may result in an extension of the review period or the issuing of a final written warning requiring the employee's attendance to improve and setting out the level of improvement required over a specified period of up to one year.

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

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

There is a right of appeal against a decision to dismiss, which must be exercised [in writing stating the full grounds for appeal](#) within [one week five working days](#) of the decision being communicated.

Long-term Sickness Absence

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

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

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

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

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

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

There is a right of appeal against a decision to dismiss, which must be exercised within [one week five working days](#) of the decision being communicated. You should submit your appeal in writing, stating your full grounds of appeal.

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

5.3 Disciplinary Procedure

The Council always tries to deal with disciplinary issues fairly and promptly. This procedure sets out the framework under which allegations of misconduct will be investigated and considered. While the procedure set out in this policy will be appropriate in most cases, there may be situations in which it is not practicable to comply with a particular requirement of it. When this happens, the Council will do its best to deal with the matter fairly and will pay particular attention to the need to give the employee every opportunity to explain their version of events.

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

Definition of Misconduct

Behaviour which is disruptive, disrespectful to colleagues, or which falls short of the requirements set out in this handbook will be treated as misconduct under the disciplinary procedure. While employees will not usually be dismissed for a first offence, a failure to remedy the behaviour or to adhere to required standards may ultimately lead to dismissal once appropriate warnings have been given.

Definition of Gross Misconduct

Gross misconduct is behaviour which is fundamentally at odds with the employee's duty to the Council and their colleagues. In accordance with the disciplinary procedure, gross misconduct will usually result in dismissal without notice, or payment in lieu of notice, even in cases of a first offence.

It is not possible to list every example of gross misconduct which may arise, but the following provides an illustration of the sort of conduct that will normally fall into this category – some of which are then explained in more detail below:

- Theft;
- Fraud, forgery or other dishonesty, including fabrication of expense claims and time sheets;
- Unlawful Deliberate acts of discrimination, harassment, including sexual harassment, or victimisation;
- Refusal to carry out reasonable instructions;
- Violent or intimidating behaviour;
- Wilful damage to property;
- Causing loss, damage or injury through serious negligence;
- Serious misuse of our property or name;
- Serious insubordination;
- Reckless behaviour posing a risk to health and safety;

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- Any act or omission constituting serious or gross negligence/or dereliction of duty;
- Sleeping on duty;
- Bringing the organisation into serious disrepute;
- Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure;
- Recording audio and/or video of any meeting, conversation or discussion with another person or people without the express prior consent of the person or people being recorded;
- Making untrue allegations in bad faith against a colleague;
- Making a disclosure of false or misleading information under our Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith;
- Repeatedly working from home contrary to the terms of your employment contract and without the prior written approval of management;
- Failing to work your contractual hours while working from home or as part of a hybrid working arrangement, or giving false or misleading information relating to your hours of work and activities while working from home;
- Any illegal act during working time or on Council premises; and
- Any act described as gross misconduct elsewhere in this handbook.

Dishonesty

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

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

Refusal to carry out instructions

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

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

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[amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.](#)

Informal Action

Most minor acts of misconduct can be dealt with informally through discussions between an employee and their Line Manager. This may consist of management guidance or an informal warning given orally or in writing. These steps are an everyday part of the management process, and no formal procedure needs to be followed in respect of them.

Where informal action of this kind fails to resolve an issue, or where the misconduct alleged is considered too serious, then the matter will be dealt with formally under this procedure.

Investigation

If it is alleged that you have committed misconduct, an appropriate investigation will be carried out aimed at gathering all of the relevant evidence. You may be interviewed as part of this investigation and will have the opportunity to point the investigator towards any evidence that you feel is relevant. The right to be accompanied (see below) does not apply to any investigatory interview.

Suspension

If an allegation of misconduct is made against you, then you may be suspended from your duties on full pay while the matter is being dealt with. The Council will make every effort to ensure that any period of suspension is kept as short as possible. The purpose of a suspension is either to allow an unhindered investigation to take place, or to protect the interests of the Council and its employees. During any period of suspension, you may be instructed not to contact other members of staff except for the purposes of preparing for any disciplinary hearing, where specific arrangements will be made with you. This is not a disciplinary sanction and should not be seen as a predetermination of any disciplinary process.

Hearing

Once the investigation has been carried out, the investigating officer will decide whether there is sufficient evidence to warrant a disciplinary hearing. If there is, you will be informed of this, and an appropriate date for the hearing will be arranged. This will take place within normal working hours wherever possible.

To ensure that you have adequate time to prepare for the hearing, the Council will provide you in advance with a copy of all of the written evidence that will be considered at the hearing. In exceptional cases, the Council may need to withhold the identities of certain witnesses or hold back sensitive items of evidence. This will only be done where it is considered necessary to protect individuals or the essential interests of the Council and every effort will be made to ensure that you are given as much information as possible so that a fair hearing can be conducted.

You will be given sufficient notice of any hearing to allow you to prepare for it. While this will vary from case to case, the Council will generally try to give at least two days' notice of any hearing, and in complicated cases, a longer period of notice may be given.

The purpose of the hearing will be to consider the evidence gathered during the investigation and to consider any representations made by you or on your behalf. The hearing will be conducted by an appropriate manager who, wherever possible, has not previously been involved in the case and who was not responsible for carrying out the investigation.

The Right to be Accompanied

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

If your chosen companion cannot attend on the day scheduled for the hearing, 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 hearing and make representations on your behalf; it is not to answer questions for you. However, both you and your companion are required to cooperate in ensuring a fair and efficient hearing. The companion cannot answer questions on your behalf.

Evidence

The hearing will consider any evidence you choose to present. Should witnesses be prepared to appear on your behalf, they will be permitted to do so provided that their evidence is relevant to the issues that need to be decided. The Council will not compel or require any employee to appear as a witness on your behalf and in most circumstances, evidence arising from the investigation will be presented in written form. You will be entitled to challenge any of the evidence presented but will not be entitled to cross-examine witnesses.

Disciplinary Action

After considering all of the evidence, including any submissions made by you or on your behalf, the manager conducting the hearing will decide on the outcome. If misconduct is found to have taken place, then the usual outcome will be a **written warning** which will be placed on your personnel file.

A warning will stay active for a period of 6 months, after which it will not be taken into account in any future disciplinary action.

If however, a further instance of misconduct is found to have occurred (in accordance with this procedure) during the currency of a warning – or if any misconduct is considered to be serious enough to warrant it – then, subject to the formal process above being followed, you will be issued with a **final written warning**.

A **final written warning** will usually remain active for one year, but a longer period may be specified if the manager conducting the hearing feels that the circumstances warrant it.

An employee who is found to have committed further misconduct during a period covered by a final written warning will, following a hearing conducted in accordance with this procedure, generally be dismissed.

Dismissal

An employee will not normally be dismissed under this procedure for a single instance of misconduct unless a final written warning is already in place. However, where gross misconduct is found to have occurred, then dismissal without notice or payment in lieu will be the usual outcome.

Gross misconduct is misconduct that is so serious that it fundamentally undermines the relationship between employer and employee. If you are accused of gross misconduct, this will be made clear when you are invited to a disciplinary hearing. A wide range of behaviours can amount to gross misconduct, but the most common involve dishonesty, violent or aggressive behaviour, the wilful destruction of Council property or a deliberate refusal to obey a reasonable instruction.

Appeal

An employee may appeal against the outcome of a disciplinary hearing by doing so in writing, stating your full grounds of appeal within one week of being notified of the outcome. The person to whom an appeal should be directed will be detailed in the disciplinary outcome letter. An appeal hearing will be convened and conducted by an appropriate member of the senior management team.

The appeal will consider any grounds the employee chooses to put forward, and they will have the same right to be accompanied as at a disciplinary hearing. The result of the appeal hearing will be final.

Employee Absence

It is important that disciplinary issues are dealt with promptly. The Council may therefore need to proceed with a disciplinary hearing even if the employee is absent due to ill health or simply does not attend. Before hearing the matter in an employee's absence, the Council will attempt to arrange the hearing in such a way that the employee will be able to attend or to submit written representations to the hearing and/or to arrange for an appropriate representative to attend the hearing on their behalf.

5.4 Grievance Procedure

The Council aims to be responsive to concerns raised by employees, and if you are unhappy with something affecting you at work, you are encouraged to raise this with your manager or, in the case of the Clerk, this should be addressed to the Council Leader on an informal basis. If that is not possible, then you should speak to another manager / Chair of the Executive committee, who will try to assist you in resolving any issue you may have. The following procedure is designed to be used when these informal attempts to resolve any dispute have not been successful.

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

Examples of issues that could be dealt with under the grievance procedure include:

- (a) terms and conditions of employment;
- (b) health and safety;

- (c) work relations;
- (d) bullying and harassment;
- (e) new working practices;
- (f) working environment;
- (g) organisational change; and
- (h) discrimination.

The Grievance Procedure should not be used to complain about issues which do not directly relate to, or impact on, you and your working environment.

The Grievance Procedure should not be used to complain about disciplinary action, reasonable action taken under the Performance [Improvement/Management](#) Procedure, or Sickness Absence Procedure. Any such complaints should be dealt with under the relevant appeal procedure.

Raising a Grievance

If you feel that the matter needs to be raised formally, you should raise a grievance by making a written complaint, stating that it is being made under this procedure. You should give as much information about your grievance, including any relevant dates and times, as you can, so as to allow for any investigation into your concerns to take place.

~~We would expect you to raise any grievance as soon as possible and, in any event, unless in exceptional circumstances, no later than 6 months after the occurrence of the issue complained of.~~

A grievance will normally be dealt with by your manager and should be addressed to them directly. In the case of the Clerk, this should be addressed to the Executive Committee on a formal basis. Where the grievance is directly concerned with your manager's behaviour, however, you should submit your grievance to another member of the management team who will arrange for somebody who is not directly involved in the issue to deal with it.

Grievance Hearing

A grievance hearing will then be arranged so that you can explain the issue and suggest how it can be resolved. You will have the right to be accompanied by a fellow employee or trade union official as described in Section 5.1, above. The manager conducting the hearing will consider what you have said and may either deal with the matter immediately or decide to carry out further investigations. In that case the hearing will be adjourned until the investigation has been completed.

Once the investigations are concluded, if new information comes to light, if it is considered appropriate, you may be invited into a reconvened meeting to have the opportunity to consider and respond to the findings of the investigation. Following this, a decision on the outcome of your grievance will be made.

Allegations of Misconduct

Where an employee is making allegations of misconduct on the part of other employees, then the Council may need to carry out an investigation into the allegations

Commented [AW4]: The inclusion of a six-month time limit for raising grievances in your handbook is no longer recommended due to potential legal risks. While there are no specific legal requirements for the exact content of grievance procedures, it is important that these procedures are fair and reasonable. Imposing a strict six-month limit could potentially be seen as unreasonable or restrictive, especially in cases where the employee may not have been immediately aware of the issue, or where the issue is of a sensitive nature that may take time to come forward with. It's also worth noting that certain employment claims, such as discrimination, have a longer statutory time limit for bringing claims to an employment tribunal, and a shorter internal time limit could potentially conflict with this.

and pursue the matter through the disciplinary procedure. Where this happens, the grievance will be held over until the disciplinary process has been concluded.

Relationship with Other Procedures

Where your grievance relates to the conduct of other procedures such as the disciplinary or performance management procedures then the Council may choose to either delay the consideration of the grievance until that procedure has been completed or to deal with the grievance in the course of that procedure or by way of appeal if that appears to be a fairer or more straightforward way of dealing with the issue.

Appeals

If you are dissatisfied with the outcome of a grievance, then you may appeal. You should submit your appeal in writing, stating your full grounds for appeal within one week of being informed of the outcome of your grievance. Your appeal should be directed to the Council Leader.

An appeal hearing will then be convened and conducted by a Panel drawn from Full Council. You will have the right to be accompanied at the appeal by a fellow employee or trade union official. The outcome of any appeal will be final.

The Council aims to be responsive to concerns raised by employees, and if you are unhappy with something affecting you at work, you are encouraged to raise this with your Line Manager. If that is not possible, then you should speak to a member of the management team who will try to assist you in resolving any issue you may have. The following procedure is designed to be used when these informal attempts to resolve any dispute have not been successful.

5.5 Redundancy Policy

About this policy

We will always try to avoid the need for compulsory redundancies, but sometimes these may be necessary. The pattern or volume of our business or methods of working may change and requirements for employees may reduce.

The purpose of this policy is to ensure that, whenever a reduction in employee numbers may become necessary:

- (a) we communicate clearly with all affected employees and ensure that they are treated fairly;
- (b) we try to find ways of avoiding compulsory redundancies;
- (c) we consult with employees (and where appropriate with recognised trade unions and / or employee representatives); and
- (d) any selection for compulsory redundancy is undertaken fairly, reasonably and without discrimination.

This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

Avoiding compulsory redundancies

Where we are proposing to make redundancies, we will enter into consultation with all affected employees on an individual basis and, where appropriate, also with recognised trade unions and / or employee representatives.

In the first instance, we will consider steps that might, depending on the circumstances, be taken to avoid the need for compulsory redundancies. Examples of such steps include:

- (a) Reviewing the use of agency staff, self-employed contractors, and consultants.
- (b) Restricting recruitment in affected categories of employee and in those areas into which affected employees might be redeployed.
- (c) Reducing overtime in affected departments to that needed to meet contractual commitments or provide essential services.
- (d) Freezing salaries for a specified period.
- (e) Considering the introduction of short-time working, job-sharing or other flexible working arrangements, where these are practicable.
- (f) Identifying suitable alternative work with the Council that might be offered to potentially redundant employees.
- (g) Inviting applications for early retirement or voluntary redundancy. In all cases, the acceptance of a volunteer for redundancy will be a matter of our discretion, and we reserve the right not to offer voluntary redundancy terms or to refuse an application where it is not in the interests of our business to do so.

Any measures adopted must not adversely affect our operations.

Making compulsory redundancies

When it is not possible to avoid making compulsory redundancies, we will advise all affected employees and, where appropriate, recognised trade unions and/or employee representatives that compulsory redundancies cannot be avoided and on the procedure that will then be followed and the criteria that will be applied.

In carrying out any redundancy exercise, we will not discriminate directly or indirectly on grounds of [sexgender](#), sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age. Part-time employees and those working under fixed-term contracts will not be treated differently to permanent, full-time comparators.

The criteria used to select those employees who will potentially be made redundant will be objective, transparent, and fair, and based on the skills required to meet our existing and anticipated business needs.

We will then consult individually with those employees who have been provisionally selected for redundancy.

Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contracts and written confirmation of the payments that they will receive. Employees will be given the opportunity to appeal against this decision.

We will continue to look for alternative employment for redundant employees until their termination dates. The manner in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Alternative employment may be offered subject to a trial period where appropriate.

The following employees shall be given first refusal on any suitable alternative vacancies that are appropriate to their skills:

- a. Employees who have notified us of their pregnancy, are on maternity leave or have returned to work from maternity leave and are within an additional protected period of 18 months from the first day of the Expected Week of Childbirth or actual date of birth (where notified to us).
- b. Employees who are on adoption leave or have returned to work from adoption leave and are within an additional protected period of 18 months from the date the child is placed with them for adoption (or the date the child enters Great Britain if adopting from overseas).
- c. Employees who are on shared parental leave or have returned to work from a period of at least six consecutive weeks of shared parental leave and are within an additional protected period of 18 months from the child's date of birth or the date the child is placed with the employee for adoption (or the date the child enters Great Britain if adopting from overseas).
- d. Employees who are on neonatal care leave or have returned to work from a period of at least six consecutive weeks of neonatal care leave and are within an additional protected period of 18 months from the child's date of birth or the date the child is placed with the employee for adoption (or the date the child enters Great Britain if adopting from overseas).

Commented [AW5]: Please note from 6 April 2025, employees who are on neonatal care leave or have returned to work from a period of at least six consecutive weeks of neonatal care leave and are within an additional protected period of 18 months from the child's date of birth or the date of adoption placement (or date entered GB if adopting from overseas), have a priority right to be offered any suitable alternative vacancy in a redundancy situation.

Other employees who also have such a priority right in a redundancy situation (since 6 April 2024) are those who have notified their employer of their pregnancy, or are on maternity / adoption / shared parental leave, or have returned to work from such leave (and in the case of shared parental leave it was a leave period of at least six consecutive weeks) and are within an additional protected period of 18 months from the child's date of birth or the date of adoption placement (or date entered GB if adopting from overseas). Before 6 April 2024, the priority right only applied to employees on maternity, adoption or shared parental leave.

6

EQUAL OPPORTUNITIES, DIVERSITY & INCLUSION BULLYING AND HARASSMENT POLICY

6.1 Equal Opportunities Statement

~~We are equal opportunity employer and are fully committed to a policy of treating all of our employees and job applicants equally in all aspects of employment including: recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.~~

~~We will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications, without regard to race, religion or belief, sex, sexual orientation, pregnancy or maternity, gender reassignment, age, marriage and civil partnership or disability. In this Policy these are known as the "Protected Characteristics".~~

~~We will appoint, train, develop and promote on the basis of merit and ability alone. We will also take all reasonable steps to provide a work environment in which all employees are treated with respect and dignity and that is free of harassment based upon any of the Protected Characteristics.~~

~~We are committed to encouraging equality, diversity and inclusion among our workforce. The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.~~

~~We are fully committed to:~~

- ~~• Treating all of our employees and job applicants equally in all aspects of employment including: recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.~~
- ~~• Creating a working environment that is free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.~~
- ~~• Training managers and all other employees about their rights and responsibilities under this equal opportunities, diversity & inclusion policy.~~
- ~~• Employing, training and promoting employees on the basis of their experience, abilities and qualifications, without regard to race, religion or belief, sex, sexual orientation, pregnancy or maternity, gender reassignment, age, marriage and civil partnership or disability. In this policy these are known as the 'Protected Characteristics'.~~
- ~~• Making opportunities for training, development, and progress available to all employees, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the Council.~~

- Complying with our obligations under the Equality Act 2010 in respect of our Public Sector Equality Duties to:

- Have 'due regard' to the need to eliminate discrimination, harassment, and victimisation
- Have 'due regard' to the need to advance equality of opportunity
- Have 'due regard' to the need to foster good relations
- Publish equality information
- Publish equality objectives.

We will not condone any form of bullying, harassment, or unlawful discrimination, whether engaged in by employees or by outside third parties who do business with us, such as clients, customers, contractors, and suppliers.

Employees have a duty to co-operate with us to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under our Disciplinary Procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal.

~~Employees must not harass, bully or intimidate other employees for reasons related to one or more of the Protected Characteristics. Such behaviour will be treated as potential gross misconduct under our Disciplinary Procedure. Employees who commit serious acts of harassment may also be guilty of a criminal offence.~~

You should draw to the attention of your Line Manager any suspected discriminatory acts or practices or suspected cases of harassment. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as potential gross misconduct. Employees should support colleagues who suffer such treatment and are making a complaint.

Discrimination

You must not unlawfully discriminate against or harass other people, including current and former employees, job applicants, clients, customers, suppliers, and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination – when someone is treated less favourably than another person because of a Protected Characteristic.
- Associative discrimination or discrimination by association – direct discrimination against someone because they associate with another person who possesses a Protected Characteristic.
- Discrimination by perception – direct discrimination against someone because it is thought that they possess a particular Protected Characteristic even if they do not actually possess it.

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- Indirect discrimination - occurs where an individual's employment is subject to an unjustified provision, criterion or practice which, e.g. one sex or race or nationality or age group finds more difficult to meet, although on the face of it the provision, criterion, or practice is 'neutral'.
- Harassment – unwanted conduct related to a relevant Protected Characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that individual. You may complain of such offensive behaviour even if it is not directed towards you personally.
- Victimisation – when an employee is treated less favourably because they have made or supported a complaint or raised a grievance about unlawful discrimination or are suspected of doing so.
- Disability discrimination: this includes direct and indirect discrimination, any unjustified unfavourable treatment because of something arising in consequence of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Our Commitment

Recruitment

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant abilities and qualifications. We are committed to applying our equal opportunities policy statement at all stages of recruitment and selection.

Recruitment publicity will aim to positively encourage applications from all suitably qualified people when advertising job vacancies, in order to attract applications from all sections of the community.

Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular Protected Characteristics. However, where having regard to the nature and context of the work, having a particular Protected Characteristics is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, we will apply that requirement to the job role, and this may therefore be specified in the advertisement.

The selection process will be carried out consistently for all jobs at all levels. We will ensure that this equal opportunities policy is available to all staff, and in particular is given to all staff with responsibility for recruitment, selection, and promotion.

The selection of new staff will be based on job requirements and the individual's suitability and ability to do, or to train for, the job in question. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment, promotion, or transfer will be assessed objectively against the requirements of the job.

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

All applications will be processed consistently. The staff responsible for short listing, interviewing, and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. All questions that are put to the applicants will relate to the requirements of the job.

Training, transfer, and promotion

We will take such measures as may be necessary to ensure the proper training, supervision and instruction for all Line Managers in order to familiarise them with our policy on equal opportunities, and to help them identify discriminatory acts or practices and to ensure that they promote equal opportunity within the departments for which they are responsible. The training will also enable Line Managers to deal more effectively with complaints of bullying and harassment.

We will also provide training to all employees to help them understand their rights and responsibilities under the equal opportunities and anti-harassment policies, and what they can do to create a work environment that is free of bullying and harassment.

All persons responsible for selecting new employees, employees for training, or employees for transfer or promotion to other jobs will be instructed not to discriminate because of one or more of the Protected Characteristics. Where a promotional system is in operation, the assessment criteria will be examined to ensure that they are not discriminatory. The promotional system will be checked from time to time in order to assess how it is working in practice.

When a group of workers who predominantly have a particular Protected Characteristic appear to be excluded from access to promotion, transfer, and training and to other benefits, our systems and procedures will be reviewed to ensure there is no unlawful discrimination.

Terms of employment, benefits, facilities, and services

All terms of employment, benefits, facilities and service will be reviewed from time to time, in order to ensure that there is no unlawful discrimination on the grounds of one or more of the Protected Characteristics.

Equal pay and equality of terms

We are committed to equal pay in employment. We believe our male and female employees should receive equal pay for like work, work rated as equivalent, or work of equal value. In order to achieve this, we will endeavour to maintain a pay system that is transparent, free from bias, and based on objective criteria.

Disabilities

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your Line Manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your Line Manager may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

6.2 Bullying and Harassment and Bullying

We are committed to providing a working environment free from harassment and bullying and ensuring all staff 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 staff (which may include consultants, contractors and agency workers) and also by third parties such as clients, customers, suppliers or visitors to our premises.

We will carry out an assessment to assess the risk 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.

What is 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 that 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:

- a. racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender;
- b. disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes;
- c. offensive e-mails, text messages or social media content; or
- d. mocking, mimicking or belittling a person's disability.

Commented [AW6]: This policy reflects the new mandatory legal duty, effective from 26 October 2024, on employers to take reasonable steps to actively prevent sexual harassment of their employees and the updated EHRC guidance on both sexual harassment and other forms of harassment. A failure to do so can result in an uplift of up to 25% to all (uncapped) compensation awarded to the worker under the discrimination legislation, not just to the compensation awarded for sexual harassment, if a claimant is successful in their sexual harassment claim. Workers can report concerns that their employer has breached the preventative duty directly to the EHRC (although they should first consider raising them with their employer/trade union). The EHRC can also take separate enforcement action outside of any litigation.

Compliance with the EHRC guidance may assist employers in showing that have complied with this new, proactive, duty and help establish a "reasonable steps" defence to a claim under the discrimination legislation. **You may want to undertake the risk assessment first (see below) and then produce a more tailored policy.**

For further information, please see our guidance, *Duty to prevent sexual harassment* (which your employment adviser can provide).

To comply with this duty, employers will need to show that they have provided meaningful training to all staff and managers (as referred to in the Equal Opportunities Statement in section 6.1). **If you require the training to be delivered, we have various HRC training packages that could help with this and/or E-learning. If you would like the details of the training options, just let us know.**

Commented [AW7]: The EHRC guidance states employers should carry out their own internal risk assessment to assess the different forms of harassment, including third party harassment and sexual harassment, and the risk of them occurring in the employer's particular workforce. They should ensure they specifically assess the risk of sexual harassment (to include third party sexual harassment). They should consider what steps it could take to reduce those risks and which of those possible steps are reasonable. From the risk assessment, employers should also produce an action plan that sets out what preventative steps they will take to address any identified risks and how that will be monitored.

Only include this paragraph or amend as appropriate to reflect the steps that you actually take or propose to take bearing in mind that the EHRC guidance is clear that unless you conduct a risk assessment of sexual harassment, you are unlikely to be compliant with the new preventative duty.

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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:

- a. unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- b. continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- c. 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);
- b-d. unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- e. intrusive questions about a person's private or sex life or a person discussing their own sex life; or
- a-f. 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.

What is 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:

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

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

- a. Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment/sexual harassment.
- b. Excluding someone because they have raised a grievance about harassment/sexual harassment.
- c. Failing to promote someone because they accompanied another staff member to a grievance meeting.
- d. Dismissing someone because they gave evidence on behalf of another staff member 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 staff are encouraged to report any harassment/sexual harassment, or victimisation they are a victim of, or witness to, 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:

- a. In a work situation.
- b. During any situation related to work, such as at a social event with colleagues.

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- c. Against a colleague or other person connected to us outside of a work situation, including on social media.
- d. 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 staff occurs, we will take steps to remedy any complaints and prevent it from happening again. Action may include updating relevant policies, providing further staff training, and taking disciplinary action against the perpetrator.

What is 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, supplier or visitor 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 claims and will not be tolerated. The law requires employers to take reasonable steps to prevent sexual harassment by third parties. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy. Any harassment by a member of staff against a third party may lead to disciplinary action up to and including dismissal.

We will take active steps to try to prevent third-party harassment of staff. Action may include: warning notices to customers/third parties or recorded messages at the beginning of telephone calls; information in terms and conditions; regular training for managers and staff to raise awareness of rights related to sexual harassment and of this policy; specific training for managers to support them in dealing with complaints; taking steps to minimise occasions where staff work alone; where possible ensuring that lone workers have additional support; carrying out a risk assessment when planning events attended by clients/customers and/or suppliers. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it from happening again. Action may include warning the harasser about their behaviour, banning them from our premises, and reporting any criminal acts to the police.

What is 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), by way of example:

- a. (a) — physical or psychological threats;
- b. (b) — overbearing and intimidating levels of supervision;

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Commented [AW8]: This is an optional paragraph to include/amend as applicable to your *particular workforce*, bearing in mind your findings from your risk assessment above. If you want to fully comply with the new law in relation to preventing sexual harassment, you should include this paragraph about preventing third-party harassment of staff unless your particular workforce does not present any risk. Third parties will depend on your workforce, but can include: customers, clients, self employed contractors or freelancers, service users, patients, students, friends and family of colleagues, delegates at a conference and members of the public. **The actions are examples - include/delete each as appropriate to your workforce.**

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~~a-c.~~ ~~(e)~~ inappropriate derogatory remarks about someone's performance.

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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/~~or bullied

If you are being harassed or 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 Clerk ~~where it concerns them)~~, who can provide confidential advice and assistance in resolving the issue formally or informally. 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, taking into account the below.~~

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We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a 'need to know' basis. We will consider whether any steps are necessary to manage any ongoing relationship ~~and/or provide protection~~ between you ~~and between other staff~~ and the person accused during the investigation.

~~If the harasser or bully is a third party, such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem.~~

Once the investigation is complete, we will inform you of our decision. If we consider ~~that there is a case to answer you have been~~ and the harasser ~~ed~~ or bully ~~ed is by~~ an employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. ~~If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem.~~ ~~The outcome of our investigation may be put on hold while disciplinary action is taken. Where the disciplinary outcome is that harassment/sexual harassment/victimisation/bullying occurred, prompt action will be taken to address it. We will also consider what additional measures need to be taken to prevent future sexual harassment of staff.~~

Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Protection and support for those involved

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Staff 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.

~~We will review this policy regularly and monitor its effectiveness. This will include monitoring the treatment and outcomes of any complaints of harassment, sexual harassment, or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders~~

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are dealt with appropriately, cultural clashes are identified and resolved, and workforce training is targeted where needed.

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)

Record-keeping

Information about a complaint by or about an employee may be placed on the employee's 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.

6.3 Menopause Policy

We are committed to supporting staff affected by the menopause. We recognise that many members of staff will experience the menopause and that, for some, menopause will have an adverse impact on their working lives.

All women will experience menopause at some point during their life. Menopause can also impact trans and non-binary people who may not identify as female. Most of those who experience menopause will do so between the ages of 45 and 55. However, some start experiencing symptoms much earlier. Often, symptoms last between four to eight years, but they can continue for longer.

The majority of those going through menopause will experience some symptoms, although everyone is different, and symptoms can fluctuate. Symptoms can include, but are not limited to, sleeplessness, hot flushes, memory loss or poor concentration, headaches, muscle and joint pains, depression and anxiety.

Menopause is preceded by perimenopause, during which the body prepares itself for menopause. Perimenopause can also last several years and can involve similar symptoms to menopause itself. For the purpose of this policy, any reference to menopause includes perimenopause.

Open Conversations

Menopause is not just an issue for women. All staff should be aware of menopause so that they can support those experiencing it or otherwise affected by it.

We encourage an environment in which colleagues can have open conversations about menopause. We expect all staff to be supportive of colleagues who may be affected by menopause in the workplace.

Anyone affected by menopause should feel confident to talk to their Line Manager about their symptoms and the support they may need to reduce the difficulties menopause can cause them at work.

Line Managers should be ready to have open conversations with staff about menopause and what support is available. These conversations should be treated

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Commented [AW9]: The EHRC guidance states that employers should monitor and regularly review the success of their harassment policy, and a commitment to do so should be stated in the policy itself. **But if you are not going to monitor it, then you shouldn't include such a commitment and should delete this paragraph, bearing in mind the risk of not being compliant with the new duty to prevent sexual harassment if you fail to do so.**

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sensitively, and any information provided should be handled confidentially and in accordance with our Data Protection Policy.

Risk Assessments

We are committed to ensuring the health and safety of all our staff and will consider any aspects of the working environment that may worsen menopausal symptoms. This may include identifying and addressing specific risks to the health and well-being of those experiencing menopause.

Support and Adjustments

While many who experience menopause are able to carry on their working lives as normal, we recognise that others may benefit from adjustments to their working conditions to mitigate the impact of menopause symptoms on their work. If you believe that you would benefit from adjustments or other support, you should speak to your Line Manager in the first instance.

Physical adjustments could include temperature control, provision of electric fans, or access to rest facilities. Depending on individual and business needs, we may also consider adjustments such as flexible working, more frequent rest breaks, or changes to work allocation. These are examples only and not an exhaustive list.

We may refer you to a doctor nominated by us or seek medical advice from your GP to better understand any adjustments and other support that may help alleviate symptoms affecting you at work.

6.4 Stress and Mental Wellbeing at Work Policy

We are committed to protecting the health, safety, and well-being of our staff. We recognise the importance of identifying and tackling the causes of work-related stress. We also recognise that personal stress, while unrelated to the workplace, can adversely affect the well-being of staff at work. We want to support the mental well-being of all our staff and will provide appropriate support for staff who are suffering from stress or mental ill health, on a confidential basis where appropriate, regardless of its source.

This policy takes account of our obligations under the Health and Safety at Work etc Act 1974, Management of Health and Safety at Work Regulations 1999, Employment Rights Act 1996, Protection from Harassment Act 1997, Working Time Regulations 1998 and Equality Act 2010.

All staff should ensure that they are familiar with this policy and act in accordance with its aims and objectives. Staff should plan and organise their work to meet personal and organisational objectives and co-operate with support, advice and guidance that may be offered by Line Managers. Anyone who experiences or is aware of a situation that may result in work-related stress or undermine mental well-being at work should speak to a manager.

We will:

- Promote a culture of open communication. We want staff to feel confident that any concerns they raise about their work or working environment will be addressed. We will provide both formal and informal means for them to raise concerns.
- Provide training for managers in good management practices.

- Take account of stress and mental well-being when planning and allocating workloads. We will provide opportunities to discuss these through our appraisal and one-to-one supervision processes.
- Monitor working hours and overtime to ensure that staff are not overworking, and monitor holidays to ensure that staff are using their entitlement.
- Ensure risk assessments include or specifically address work-related stress.
- Facilitate requests for flexible working where reasonably practicable in accordance with our Flexible Working Policy.
- Ensure that in any workplace reorganisation, our change management processes are designed to minimise uncertainty and stress.
- Implement policies and procedures to address factors that can cause stress at work, or add to personal stress, in particular so that we can:
 - provide a workplace free from harassment, bullying, and victimisation; and
 - address inappropriate behaviour through disciplinary action.
- Provide training to help all staff understand and recognise the causes of work-related stress and mental ill health, the impact of stress from factors in everyday life, and the steps they can take to protect and enhance their own mental well-being and that of their colleagues.
- Provide support services such as a confidential counselling helpline available 24/7 via our insurance provider on 0117 934 2121 for staff affected by or absent by reason of stress.

Understanding stress and mental health

Stress is the adverse reaction people have to excessive pressures or demands placed on them. Stress is not an illness but, sustained over a period of time, it can lead to mental and/or physical illness.

Mental health is a term to describe our emotional, psychological and social wellbeing; it affects how we think, feel and act and how we cope with the normal pressures of everyday life. Positive mental health is rarely an absolute state since factors inside and outside work affect mental health, meaning that we move on a spectrum that ranges from being in good to poor mental health.

There is an important distinction between working under pressure and experiencing stress. Certain levels of pressure are acceptable and normal in every job. They can improve performance, enable individuals to meet their full potential and provide a sense of achievement and job satisfaction. However, when pressure becomes excessive it produces stress and undermines mental health.

Pressures outside the workplace, whether the result of unexpected or traumatic events such as accidents, illness, bereavement, family breakdown or financial worries, can result in stress and poor mental health. They can also compound normal workplace pressures.

Addressing work-related stress

If you believe you are suffering from work-related stress, you should discuss this with your manager in the first instance. If you feel unable to do so, you should contact the confidential counselling helpline available 24/7 via our insurance provider on 0117 934 2121.

Once an issue affecting your health comes to the attention of your manager, we will discuss with you what steps can be taken to address that issue. Those steps may include any of the following:

- A review of your current job role, responsibilities, workload, and working hours. Adjustments may be agreed to these, on a temporary basis and subject to further review, where appropriate.
- Where it appears that stress has been caused by bullying or harassment, investigation under our Disciplinary and/or Grievance Procedures.
- Referral for medical advice, treatment and/or a medical report to be provided by occupational health or any specialist or GP who has been treating you.
- If you are on sickness absence, a discussion of an appropriate return to work programme. Our Sickness Absence Policy may be applied.

Confidentiality

Information about stress, mental health, and mental well-being is highly sensitive. Every member of staff is responsible for observing the high level of confidentiality that is required when dealing with information about stress or mental health, whether they are supporting a colleague or they are otherwise involved in the operation of a workplace policy or procedure.

Breach of confidentiality may give rise to disciplinary action. However, there are occasions when information about stress or mental well-being need to be shared with third parties. For example:

- Where steps need to be taken to address work-related stress, such as reallocating work within a team.
- Where medical advice is required on how to support a member of staff, address issues raised by work-related stress, or address issues raised by mental ill health.
- Where allegations of harassment, bullying, or other misconduct require a disciplinary investigation or proceedings to take place.
- Where a member of staff presents an immediate danger to themselves or others.

In these circumstances, wherever possible, matters will be discussed with the member of staff concerned before any action is taken.

6.5 Monitoring Equal Opportunities and Dignity at Work

We will regularly monitor the effects of recruitment selection decisions and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved for staff. This will also involve considering any possible indirect discriminatory effects of our working practices. If changes are required, we will implement them. We will also make reasonable adjustments to our standard working practices to overcome barriers caused by disability.

Breaches of this Policy

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have suffered discrimination, you can raise the matter through our Grievance Procedure or Bullying & Harassment Procedure. Complaints will be treated in confidence and investigated as appropriate.

You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately will be treated as misconduct and dealt with under our Disciplinary Procedure.

Related Policies

This policy is supported by the following other policies (in the Employee Handbook):

- (a) Grievance Procedure (5.4).
- (b) Disciplinary Procedure (5.3).
- (c) Flexible Working Policy (4.1).
- (d) Maternity, Paternity, Adoption, and Shared Parental Leave Policy (4.2 – 4.4 & 4.6 - 4.8).
- (e) Parental Leave Policy (4.5).
- (f) Time Off for Dependants Policy (3.8).
- (g) Data Protection Policy (1.6 - additional guidance can be found on our shared drive or from the Council Offices).

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 staff. 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.

I acknowledge I have read and understood the policies and procedures contained within this handbook

Received by (Employee)

Signed

Date

New Duty to Prevent Sexual
Harassment in the Workplace

Guidance



Introduction

Harassment because of a protected characteristic, including sexual harassment, has been outlawed for some time now. An employer will be held liable for harassment caused by their employees and some third parties, even if they didn't know it was happening. If a worker issues a claim for harassment, it is possible for an employer to try and avoid liability by arguing that they had taken all reasonable steps to prevent the harassment occurring.

In 2023, the then Conservative government introduced the *Worker Protection (Amendment of Equality Act 2010) Act 2023*, which will come into force on **26 October 2024**. This will introduce a new proactive positive duty to take reasonable steps to protect their workers from sexual harassment, or, more specifically, harassment where the conduct is of a sexual nature. This note will set out what this duty means, and what steps employers should be taking to try and comply with it.

This note is designed to act as general guidance and nothing in this document should be taken as legal advice. The contents of this note are correct at the time of writing (4 October 2024) and are subject to change. We will review and update this note on a regular basis. Individual advice should be sought in respect of specific cases.

What is the current position?

An employer can be held liable for the discriminatory acts of their employees. One way for an employer to defend a claim of discrimination, including harassment, is to show they had taken all reasonable steps to prevent the discrimination occurring. This does not place a positive obligation on the employer to take those steps – it just provides an employer with an absolute defence to claims that they would be liable for by the actions of one of their employees or relevant third parties.

The requirement to have taken all reasonable steps is onerous. If there is a reasonable step that could have been taken but wasn't, then the defence will not be available. Whether the further reasonable steps that could have been taken would have prevented the act of, for example, harassment is not determinative. It can therefore be difficult to run this defence.

Regarding sexual harassment in the workplace, the Equality and Human Rights Commission (EHRC) issued technical guidance which provides some examples of what may amount to reasonable steps:

- Implementing an equality policy which covers harassment.
- Informing workers of the contents of the policy.
- Providing relevant training to workers regarding harassment.
- Conducting reviews of the policy when required.
- Dealing effectively with worker complaints.

Case law confirms that just having a policy in place is not enough – it is necessary to ensure that everyone is aware of it and what is required. There may be other reasonable steps that could be taken in addition to the above, depending on the workplace and the issues at hand.

What's changing?

From **26 October 2024**, the Worker Protection (Amendment of Equality Act 2010) Act 2023 will come into force. This will introduce a new positive obligation on employers to take reasonable steps to prevent sexual harassment where the unwanted conduct is of a sexual nature.

A failure to do so can result in an uplift of up to 25% on all (uncapped) compensation awarded under the discrimination legislation (the Equality Act 2010), not just the compensation awarded for sexual harassment, in a successful sexual harassment of a sexual nature claim. Additionally, workers can report concerns that their employer has breached the preventative duty directly to the EHRC (although they should first consider raising them with their employer/trade union). Failure to comply with the new duty can also result in enforcement action being taken against the employer by the EHRC, even if no Employment Tribunal claims are being pursued.

Is there any guidance on the new requirements?

The EHRC has issued a final version update to their technical guidance covering this new obligation, following a consultation. The EHRC has also issued a new brief eight-step guide which summarises the detail in the technical guidance. The main points that can be taken from the technical guidance are as follows:

- The duty to take reasonable steps to prevent sexual harassment is anticipatory. Employers should not wait until an incident of sexual harassment has occurred before taking action.
- If sexual harassment has occurred in the workplace, employers should not only deal with that particular incident, but must also take steps to stop it from happening again.
- The preventative duty also applies to preventing sexual harassment by third parties. This applies in respect of the enforcement action that could be taken by the EHRC (and workers can report their concerns about breaches of the preventative duty by their employers to the EHRC). However, this does not apply in respect of claims that workers can bring under the Equality Act 2010 (save for in certain circumstances). It's important to note, though, that the Labour government has pledged to extend this at some point.
- With regards to reasonable steps, the guidance states that what reasonable steps should be taken will vary depending on the employer. Whether or not an employer has taken reasonable steps is an objective test and will depend on the facts and circumstances of each situation. Relevant factors may be the size and resources of the employer, the nature of the working environment, the sector in which the employer operates, the risks present in the workplace, and the nature of any contact with third parties. In addition to these, the guidance states other relevant factors may be:
 - The likely effect of taking a particular step and whether an alternative step could be more effective;
 - The time, cost and potential disruption of taking a particular step, weighed against the benefit it could achieve;
 - Whether concerns have been raised with an employer that sexual harassment has taken place (it would likely be reasonable for the employer to take steps to investigate and ensure it does not happen again); and
 - Compliance with any relevant regulatory standards (for example, standards set by the Financial Conduct Authority or General Medical Council).

- Further examples have been added to illustrate what might amount to reasonable steps depending on the risk factors identified by employers in particular industries. These can be viewed in the guidance.
- Whether steps taken appear to have been effective or ineffective, for example, if a further incident of sexual harassment occurs after steps have been taken, this may indicate that additional or alternative action should be considered.
- A step may be reasonable, even if it would not have prevented a particular act of sexual harassment. The guidance states that *“different employers may prevent sexual harassment in different ways, but no employer is exempt from the sexual harassment preventative duty”*.
- The guidance goes on to say: *“An employer should:*
 - *Consider the risks of sexual harassment occurring in the course of employment.*
 - *Consider what steps it could take to reduce those risks and prevent sexual harassment of their workers.*
 - *Consider which of those steps it would be reasonable for it to take.*
 - *Implement those reasonable steps.”*
- The guidance also states that an employer is unlikely to be able to comply with the preventative duty unless they carry out a risk assessment, with further information about risk assessments in Chapter 4.
- The guidance lists examples of the different types of third parties that could sexually harass a worker depending on the employer’s particular workforce, namely customers, clients, self-employed contractors or freelancers, service users, patients, students, friends and family of colleagues, delegates at a conference, and members of the public.

What steps should employers be taking to meet the new preventative duty?

As can be seen from the guidance, each employer will have different risks which will require different steps to be taken to prevent sexual harassment occurring.

Broadly speaking, and bearing in mind there is no ‘one size fits all’ approach, the following process will be useful for employers to follow:

Risk assessment

In the first instance, an employer should understand what the risks are within their workplace. Unless they know where and what possible risks of sexual harassment there may be, it will be difficult to know whether reasonable steps have been taken to prevent that from happening in the future. Therefore, a risk assessment of the workplace should be undertaken and the guidance clearly states that without doing one, an employer is unlikely to be able to comply with the preventative duty.

Some of the factors that may be relevant are:

- Are there gender and/or power imbalances within the workforce? If so, where are they and do specific measures need to be taken to prevent sexual harassment occurring?
- What type of contact do workers have in the workplace? For example, do they work in close physical proximity?
- Have there been previous incidences of sexual harassment? If so, what has been done about it? Could anything else be done to prevent it from happening again?

- Does the physical nature of the workplace itself increase the possibility of sexual harassment occurring?
- Is there a clear policy in place regarding sexual harassment in the workplace? How is this communicated to the workforce?
- Have staff received training regarding the policy and sexual harassment and, if so, when and what did it cover? Is the training just off the shelf or is it tailored to the issues that may be present in that workplace?
- Is reporting of sexual harassment encouraged in the workplace? Are there clear reporting lines available to staff? How have previous reports of sexual harassment been received and dealt with previously? Have managers and other relevant individuals received training on how to deal with such reports?
- Consider what risks there may be from third parties. For example, in a service sector setting, where contact with the public will happen, consider what the risks may be and how that could be addressed.

These are just a few examples. The idea behind this is that once an assessment has been carried out, an employer will hopefully have an idea of what they may be dealing with and can then apply their minds to how to take preventative action. The guidance states that employers should produce an action plan that sets out what preventative steps they will take to address any identified risks and how that will be monitored. Having this recorded, too, will help in evidencing the thought process of the employer, as long as the recommended steps are implemented and monitored.

We have produced a template [Risk Assessment – Preventing Sexual Harassment](#) and associated template [Action Plan – Preventing Sexual Harassment](#). A copy of these will be emailed to all clients prior to this new obligation coming into force on 26 October 2024 or can be obtained from your advisers.

One thing is clear – the employer will need to have clear policies and procedures in place to even have a chance of complying with this duty. Employers will need to ensure that all of their policies and procedures support the new duty and updated EHRC guidance and cover any risks that become evident as a result of carrying out the risk assessment. We have reviewed the current policies in our Employee Handbook template and made updates accordingly. Please contact your advisers with your current Employee Handbook so that we can action these updates. You may want to do this after you have conducted the risk assessment so that your policies can be tailored accordingly.

Harassment policy

Chapter 4 of the EHRC technical guidance contains guidance on sexual harassment policies and procedures. This says a good anti-harassment policy will:

- Confirm who the policy covers.
- State that sexual harassment, harassment and victimisation will not be tolerated and is unlawful.
- State that the law requires employers to take reasonable steps to prevent sexual harassment of workers in the course of their employment.
- State that harassment, sexual harassment, or victimisation may lead to disciplinary action up to and including dismissal if it is 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 the employer outside of a work situation, including on social media; or

- Against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.
- State that aggravating factors such as abuse of power over a more junior colleague will be taken into account in deciding what disciplinary action to take.
- Define the protected characteristics that harassment may be related to.
- Define harassment related to protected characteristics, sexual harassment, less favourable treatment for rejecting or submitting to sexual harassment, and victimisation separately. Different forms of harassment should not be conflated.
- If bullying is included within the same policy, distinguish between bullying and harassment.
- Provide clear examples to illustrate each definition of the different forms of harassment, which are relevant to the employer's working environment and which reflect the diverse range of people whom harassment may affect.
- Include an effective procedure for receiving and responding to complaints of harassment.
- Address third-party harassment. This section should outline:
 - That 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;
 - That the law requires employers to take reasonable steps to prevent sexual harassment by third parties, that it will not be tolerated, and that workers are encouraged to report it;
 - What steps will be taken to prevent it, for example warning notices to customers or recorded messages at the beginning of telephone calls; and
 - What steps will be taken to remedy a complaint or prevent it from happening again, for example warning a customer about their behaviour, banning a customer, reporting any criminal acts to the police, or sharing information with other branches of the business.
- Include a commitment to review the policy at regular intervals and to monitor its effectiveness.
- Cover all areas of the employer's organisation, including any overseas sites, subject to any applicable local laws which impose any additional requirements on the employer.
- Provide contact details for, and information about, support and advice services available to the complainant or alleged harasser, provided by the employer within the workplace, such as:
 - An employee assistance programme;
 - A list of contact points within the employer; and
 - Recognised trade unions.
- Provide contact details for, and information about, external sources of support and advice, both locally and nationally.

We have updated our Harassment and Bullying Policy to ensure that all of these are included.

It will not be enough to just have a policy in place – it will be necessary to ensure that everyone has easy access to it and is aware of its contents. Everyone should be notified of any changes made to the policy or procedures.

Training

Another key step that will be expected to have been put in place is training. Here are a couple of points to consider, continuing to bear in mind that training should be tailored to the specific risk factors that may be present in that employer's workplace:

- **How often should training take place?** There is no hard and fast rule, but it should be at least once a year. For workplaces where the risk is higher, for example because there have been incidences of sexual harassment previously, it might be necessary to undertake training more regularly. Also consider when and how that training is delivered to new starters.

- **What should the training cover?** Again, this will depend on the workplace. However, it should at least cover the basics of what amounts to sexual harassment and how the employer will deal with such issues. It would be advisable to ensure that everyone is aware of how to report such matters and encourage everyone to report any instances.
- **Ensure that the training is up to date**, and don't just roll out a pre-recorded session from a number of years ago. The training should also try and address the specific risk factors in that workplace.
- **It may be necessary to consider different content for different categories of worker.** For example, a manager may need training on how to spot and deal with issues arising in the workplace, whereas shop floor staff may not.
- **Any training delivered should be reviewed regularly**, and updated if there are changes in the risk profile of the workplace, the law changes, or the training is not working in preventing sexual harassment.

Workplace culture

Another aspect that will be important is to promote an inclusive workplace culture, ensuring that everyone is aware that the employer will take a zero-tolerance approach to sexual harassment in the workplace and will not punish individuals who report such conduct.

Note that if a worker makes a complaint that they or someone else has suffered sexual harassment and they suffer any detriment as a result, they may have a victimisation claim against the employer and the aggressor.

Record-keeping

The section on evaluation of policies in the guidance has been updated to state that employers should keep records of informal complaints, not just formal grievances, as part of their central records used to identify the effectiveness of their policies.

Conclusion

It is not entirely clear yet how different this new duty will be from the current defence available to employers for having taken *all* reasonable steps to prevent sexual harassment occurring. It may be that the factors considered in claims on that issue will be relevant. There is an argument that because this new duty is only to take reasonable, not *all* reasonable, steps, the threshold isn't quite as high. We will have to wait and see.

In any event, a failure to comply with this new duty will certainly lead to an employer being unable to run the *all reasonable steps* defence to claims, leading to a successful claim and a potential increase of all compensation awarded of up to 25%, which in a lot of cases could be significant. If Tribunals decide that in fact there is no material difference between the two duties, it may be that any successful claims of sexual harassment of a sexual nature could result in an uplift. In addition, employees can report breaches to the EHRC and the EHRC can take separate enforcement action against employers, even if no claims have been issued. It will therefore be very important for employers to take this seriously.

Another point to watch out for is Labour's pledge to widen the scope of the protection to third party harassment and to increase the obligation to take *all* reasonable steps to prevent sexual harassment.

This document was prepared by the WorkNest Employment Law Team. It is intended only as a general document and as a guide in relation to its subject matter and has not been bespoke drafted for you or the specific circumstances in which you are looking to use it. It is not to be regarded as a substitute for consultation with one of your advisers, since every case will ultimately turn on its own particular facts and circumstances. We will always ask you what you want to achieve and can advise on best practice or more commercial options. If you do not consult with us, do not follow our advice, or decide to take a commercial option, there is a risk that your insurance position will be affected (if cover has been taken) and we will not be liable in any way. If in any doubt as to how to use this document or for legal advice, please contact your advisers on their usual number.

Risk Assessment – Preventing Sexual Harassment

Purpose

The aim of this risk assessment is to prevent sexual harassment during the course of employment. It considers the potential risks to all employees and workers, as well as third parties who are engaged with us to carry out services such as those who are self-employed and agency workers.

Carrying out this assessment will allow us to identify, assess and mitigate risks associated with sexual harassment in the workplace and will help to create a safe and respectful working environment and promote a positive workplace culture. It also supports the [Company's/Organisation's/Council's/School's/Trust's] compliance with its legal obligation of taking reasonable steps to prevent sexual harassment from occurring in the course of employment.

This assessment is kept under continuous review to ensure existing prevention measures remain adequate. Reviews will take place at least annually, with ad-hoc reviews taking place where circumstances require. This could be if there is a change to the demographics of the workforce or working arrangements, or where we have received complaints of sexual harassment taking place. [Optional (where the business has more than one business location): An assessment of the risks will be carried out for each of our business locations].

An action plan will then be created and monitored on the back of this risk assessment. See our template [Action Plan – Preventing Sexual Harassment](#).

The [Company/Organisation/Council/School/Trust] encourages all employees and workers to inform [their manager / a Senior Manager / the Designated Equal Opportunity Lead] of areas in which they believe sexual harassment protection could be further improved.

Completing the assessment

Please follow the instructions below to ensure that the assessment and accompanying action plan is completed thoroughly and accurately:

Considerations

Considerations are the elements of potential risk. Indicate those that apply and those that don't, e.g. if some people work at night or whether there is alcohol sold on the premises, etc.

Hazard

A hazard is anything that has the potential to cause harm, e.g. power imbalances, coercion, differences in cultural expectations, etc.

- **Who might be harmed:** Consider all employees and workers who could be affected by each identified hazard. This may include employees, workers, those with specific roles, or those who may have vulnerabilities, e.g. waiting staff, travel-based sales staff, bar staff, young workers, etc.
- **Level of risk:** The level of risk is determined by considering both the likelihood of the hazard occurring and the severity of its potential consequences. If in doubt, err on the side of caution.
 - **Low risk:** Indicates that the likelihood of the hazard occurring is rare and the potential consequences are minimal.
 - **Medium risk:** Indicates that the likelihood of the hazard occurring is moderate and the potential consequences could result in sexual harassment occurring.
 - **High risk:** Indicates that the hazard is likely to occur and could result in sexual harassment taking place. This level of risk requires immediate attention and action to eliminate or substantially reduce it.

[illegible]

[illegible]

Considerations	Yes	No	Hazard	Who might be harmed	Level of risk			Preventative action	Date completed
					Low	Med	High		
that sexual harassment is considered a potential act of gross misconduct and could lead to someone's summary dismissal?									
Do policies on the use of IT communication systems and social media include appropriate warnings against online harassment, and how to report concerns?									
Do you have policies regarding proper use of social media platforms such as LinkedIn, Facebook, Instagram or X?									
Is there a policy for workplace relationships?									
Do your anti-harassment policies align to all other company policies such as homeworking, lone working, and equality, diversity and inclusion (EDI)?									
Training:									

Considerations	Yes	No	Hazard	Who might be harmed	Level of risk			Preventative action	Date completed
					Low	Med	High		
Do you carry out EDI training that covers sexual harassment as part of the induction/onboarding process?									
Do you carry out EDI training that covers sexual harassment on an annual basis?									
Do you provide separate training to line managers (to that which is given to employees and workers)?									
Do you provide EDI training that is specific to your workplace and that uses case studies or scenarios that relate to your organisation?									
Do you provide refresher EDI training when circumstances warrant it, e.g. when there is a change in working arrangements or workforce demographics, or after receiving a complaint of sexual harassment?									
Management structure:									

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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Action Plan – Preventing Sexual Harassment

Purpose

The key purpose of this action plan is to prevent sexual harassment from occurring during the course of employment. The activities listed within it have all been identified through the completion of a risk assessment which considered all of our working practices, including our policies and procedures.

A further aim of this action plan is to strengthen relevant employment policies and reporting mechanisms and to foster a workplace culture of responsibility and awareness, all of which are fundamental in preventing sexual harassment.

By implementing the actions that have been identified through the risk assessment process, it supports the [Company's/Organisation's/Council's/School's/Trust's] compliance with its legal obligations.

Please also refer to our template [Risk Assessment – Preventing Sexual Harassment](#).

[Optional (where the business has more than one business location: Each business location will have its own action plan, based on its own risk assessment. However, the actions will be incorporated within an organisation-wide action plan so that the actions, resources required and budget can be managed in the most efficient and effective way.)]

Completing the action plan

Please follow the instructions below to ensure that the action plan is implemented, monitored, and amended timely and accurately:

Preventative steps

Record the results of the risk assessment by listing all of the activities identified and provide detailed information for its effective completion. This should include those who are to be responsible, the resources required (such as people, budget, and time), and timeframes for completion.

Monitoring

The monitoring of the action plan is fundamental in the prevention of sexual harassment. It enables the tracking of progress, detects any issues early, provides meaningful data to aid decision making, facilitates accountability and transparency, and allows for continuous improvement, all of which will lead to the successful implementation of each action point and therefore remove, or significantly lower, the risk of sexual harassment occurring.

[Name of organisation] action plan for the prevention of sexual harassment during the course of employment

Action plan owner:	[Name] [Job title - CEO / MD level]
Action plan date:	
Work location:	
Date of risk assessment this action plan aligns with:	
Next scheduled risk assessment date:	[We recommend scheduling a risk assessment review 12 months from the date of the last assessment]
Version number:	[Insert version number]

Action plan for the prevention of sexual harassment during the course of employment

Risk assessment result	Activity	Responsible	Resources (people, budget, time)	Time frame for completion	Monitoring
Example: All employees and workers aware of the organisation’s policies on the prevention of sexual harassment and response mechanisms	- Line management training - Employee training - Part of the induction and onboarding process	Line Manager	Annual training – next scheduled for December 2024	Training of the entire workforce, circa 70 employees, carried out November and December 2024	Insert any notes on the progress and implementation