



Employment Suite of Policies

Responsibility: Personnel Sub - Committee to Full Council

Review Cycle: Every two years, or at any other frequency in the event of legislative changes or other necessity.

<u>Date of Adoption / Renewal</u>	<u>Resolution Number</u>	<u>Date of Next Review</u>
2023.10.17	FCL_2022.10.08	May 2023
2023.05.15	FCL_2023.05.10	May 2024
2024.05.20	FCL_2024.05.11iii	May 2026

Policy Number	Policy Name	Page
1	Annual Leave Policy	2
2 & 3	Disciplinary and Grievance Policy	5 & 10
4	Equality of Opportunity Policy	13
5	Expenses Policy	17
6	Health and Safety Policy inc RIDDOR reporting	18
7	Lone Worker Policy	23
8	Sickness Absence Policy	24
9	Training and Development	26

Annual Leave Policy

Annual leave entitlement

As derived from the Working Time Regulations 1998, employed workers are legally entitled to 5.6 weeks' paid holiday per year, which can include the 8 Bank Holidays. This is equal to 28 days for a full-time employee. Part time employees receive a pro-rated entitlement according to their hours of work. Paid leave entitlement is additionally set out in contracts of employment.

All Herstmonceux Council employees have contracts entitling them to additional paid holiday beyond the statutory minimum of 5.6 weeks. This additional holiday is known as contractual holiday entitlement. The entitlements below are set out for a full time employee of Herstmonceux Parish Council. Part time employee entitlement is calculated pro rata:

- Basic leave entitlement is 22 days per annum;
- Plus 8 paid Bank Holidays per annum;
- Plus 2 extra statutory days;
- Basic leave entitlement will increase to 25 days per year (pro rata for p/t employees) when employees have 5 years continuous service immediately prior to the commencement of the leave year (1st April in any given year)

Subject to clause 2.2 of the contract, the calculation of your annual leave commences from the first day of your employment.

Working part-time

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

Leave year

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

Carrying over leave

As per the terms of employee contracts, where it has not been possible to take all your leave in the current leave year, and only with prior consent from the Clerk (or the Council in the case of the Clerk), you will be permitted to carry forward up to 5 days leave. This must be taken within the first two months of the new leave year and is not encouraged as habit but rather as an exception.

Requesting leave

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

- The team's workload,

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

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

Sickness during annual leave

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

Payment of annual leave

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

Payment in lieu

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

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

Such a deduction will be deemed to be a contractually authorised deduction.

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

Notes

1. Annual leave entitlement

The statutory minimum leave entitlement for full time workers is 22 days in addition to 8 Bank Holidays. This should be pro-rated for part time workers. If your Clerk works three full days a week, their entitlement will be 3/5ths of the full-time entitlement (i.e. 12 days leave in addition to 4.8 days Bank Holidays).

2. Green Book terms

If the council adopts 'Green Book' terms and conditions of employment for all staff, all staff receive the additional 5 days entitlement after 5 years of continuous service. Furthermore, employees have an entitlement to two extra statutory days leave which may be taken on specific days or added to the annual entitlement. These terms are specified in Office Staff contracts.

Public and Extra Statutory Holidays

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

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

3. Carrying over leave

It is important that staff take their statutory annual leave in order to ensure the council complies with working time legislation. The council has a responsibility to support staff to take their annual leave. As HPC offers leave entitlement in excess of the statutory minimum, contracts allow staff to carry over unused entitlement from one year to the next.

4. Rolled-up holiday pay

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

5. Religious festivals

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

— policy ends here —

Disciplinary and Grievance Arrangements

Disciplinary Policy

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice. It is designed to help council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
2. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
3. This policy confirms:
 - 3.1 The Council will fully investigate the facts of each case.
 - 3.2 The Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective.
 - 3.3 Employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case.
 - 3.4 Employees may be accompanied or represented by a trade union representative or a work colleague at any disciplinary or investigatory meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
 - 3.5 The Council will give employees reasonable notice of any meetings in this procedure. The employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions.
 - 3.6 If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within 5 working days of the original meeting date.
 - 3.7 Any changes to specified time limits in the Council's procedure must be agreed by the employee of the Council.
 - 3.8 Information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the Data Protection Act 2018.
 - 3.9 Recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition.
 - 3.10 Employees have the right to appeal against any disciplinary action. The appeal decision is final.
 - 3.11 If an employee who is already subject to the Council's disciplinary procedure, raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure.
 - 3.12 Disciplinary action taken by the Council can include an oral warning, written warning, final written warning or dismissal.
 - 3.13 Except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct.
 - 3.14 If an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it.

3.15 The Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the Council's and the employee's consent.

Examples of Misconduct

4. Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct:

- Unauthorised absence
- Poor timekeeping
- Misuse of the Council's resources and facilities including telephone, email and internet
- Inappropriate behaviour
- Refusal to follow reasonable instructions
- Breach of health and safety rules

Examples of gross misconduct

5. Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct:

- Bullying, discrimination and harassment
- Incapacity at work because of alcohol or drugs
- Violent behaviour
- Fraud or theft
- Gross negligence
- Gross insubordination
- Serious breaches of health and safety rules
- Serious and deliberate damage to property
- Use of the internet or email to access pornographic, obscene or offensive material
- Disclosure of confidential information

Examples of Unsatisfactory Work Performance

6. The following is not an exhaustive list:

- Inadequate application of office procedures
- Inadequate IT skills
- Unsatisfactory management of staff
- Unsatisfactory communication skills
- Failure to undertake all duties within job description

Disciplinary Investigation

7. There will be an investigation of the facts. The Council will appoint an investigator who will be responsible for undertaking the disciplinary investigation. The Investigator will be independent and will normally be a Councillor. If the Council considers that there are no Councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The Investigator will be asked to submit a report within 20 working days of appointment. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage (see paragraphs 15-17).

8. The Council will first notify the employee in writing of the alleged misconduct and ask him/her to attend a meeting with the Investigator. The employee will be given at least 5 working days' notice of the meeting with the Investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee should be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets with the Investigator, he/she will have the opportunity to comment on the allegations of misconduct.

9. Employees may be accompanied or represented by a trade union representative or a work colleague at any investigatory meeting.

10. If there are other persons (e.g. employees, Councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.

11. The Investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the Council whether or not disciplinary action should be taken.

12. The Investigator's report will contain his/her recommendations and the findings on which they were based. He/she will recommend either:

- The employee has no case to answer and there should be no further action under the Council's disciplinary procedure
- The matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or
- The employee has a case to answer and there should be action under the Council's disciplinary procedure.

13. The Investigator will submit the report to Council who will decide whether further action will be taken.

14. If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The Disciplinary Meeting

15. If the Council decides that there is a case to answer, it will appoint a staffing sub-committee of 3 Councillors. The staffing sub-committee will appoint a Chairman from one of its members. The Investigator shall not sit on the sub-committee. No Councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:

- The names of its Chairman and other 2 members
- Details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
- A copy of the investigation report, all the supporting evidence and a copy of the Council's disciplinary procedure
- The time and place for the meeting. The employee will be given reasonable notice of the hearing (at least 15 working days) so that he/she has sufficient time to prepare for it
- That witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least 5 working days before the meeting

- That the employee and the Council will provide each other with all supporting evidence at least 5 working days before the meeting. If witnesses are not attending the meeting, witness statements will be submitted to the other side at least 5 working days before the hearing
- That the employee may be accompanied by a companion, either a trade union representative or a work colleague.

The disciplinary meeting will be conducted as follows:

- The Chairman will introduce the members of the sub-committee to the employee
- The Investigator will present the findings of the investigation report
- The Chairman will set out the Council's case and present supporting evidence (including any witnesses)
- The employee (or the companion) will set out his/her case and present evidence (including witnesses)
- Any member of the sub-committee and the employee (or the companion) may question the Investigator and any witnesses
- The employee (or the companion) will have the opportunity to sum up his/her case
- The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within 5 working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision
- The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

Disciplinary Action

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

Verbal Warning

An oral warning is issued for most first instances of minor misconduct. The Council will notify the employee:

- Of the reason for the warning, the improvement required (if appropriate) and the time period for improvement
- That further misconduct/failure to improve will result in more serious disciplinary action
- Of the right to appeal
- That a note confirming the oral warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for six months.

Written Warning

If there is a repetition of earlier misconduct which resulted in an oral warning, or for different and more serious misconduct, the employee will normally be given a written warning. A written warning will set out the following:

- The reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- That further misconduct/failure to improve will result in more serious disciplinary action
- The employee's right of appeal
- That a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for 12 months.

Dismissal

The Council may dismiss:

- For gross misconduct
- If there is no improvement within the specified time period in the conduct which has been the subject of a final written warning

- If another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

17. The Council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she will receive a written statement of the reasons for his/her dismissal, the date on which the employment will end and details of his/her right of appeal.

18. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action imposed as a result of the disciplinary meeting will remain in force unless and until it is modified as a result of an appeal.

The Appeal

19. An employee who is the subject of disciplinary action will be notified of the right of appeal. His/her written notice of appeal must be received by the Council within 5 working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

20. The grounds for appeal include:

- A failure by the Council to follow its disciplinary policy
- The sub-committee's decision was not supported by evidence
- The disciplinary action was too severe in the circumstances of the case
- New evidence has come to light since the disciplinary meeting.

21. The Appeal will be heard by 3 members of the Council who have not previously been involved in the case. This includes the Investigator. The appeal panel will appoint a Chairman from one of its members.

22. The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that he/she may be accompanied by a companion, either a trade union representative or a work colleague.

23. At the appeal meeting, the Chairman will:

- Introduce the panel members to the employee
- Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
- Explain the action that the appeal panel may take.

24. The employee (or his companion) will be asked to explain the grounds for appeal.

25. The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within 5 working days of the appeal hearing.

26. The appeal panel may decide to uphold the decision of the sub-committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

27. If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of the dismissal and continuity of service will be upheld.

28. The appeal panel's decision is final.

Grievance Policy

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice. It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.

3. This policy confirms:

- Employees have the right to be accompanied or represented at a grievance meeting or appeal by a trade union representative or work colleague. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his/her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
- The Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within 5 working days of the original meeting date.
- Any changes to specified time limits must be agreed by the employee and the Council.
- An employee has the right to appeal against the decision about his/her grievance. The appeal decision is final.
- Information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the Data Protection Act 2018.
- Recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition.
- If an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure.
- If a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith.
- The Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the Council's and the employee's consent.

Informal Grievance Procedure

4. The council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with their line manager / the Personnel Sub-Committee to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with their line manager / the Personnel Sub-Committee (for example, because it concerns the manager or individual Personnel Sub-Committee member), the employee should contact, if appropriate, the Chair of the Parish Council.

Formal Grievance Procedure

5. If it is not possible to resolve the grievance informally, the employee may submit a formal grievance. It should be submitted in writing to the Chair of the Personnel Committee or the Chair of the Parish Council.

6. A Grievance Sub-Committee (minimum three members) will be called by the Personnel Sub-Committee to investigate the grievance. No councillor with direct involvement in the matter shall be appointed to the grievance procedure. Members of the Council, other than the Personnel Sub-Committee, may be called upon to join members of the Personnel Sub-Committee in the grievance procedure.

Investigation

7. The Grievance sub-committee will investigate the matter before the grievance meeting which may include interviewing others (e.g. employees, Councillors or members of the public).

Notification

8. Within 10 working days of the Council receiving the employee's grievance, the employee will be asked, in writing, to attend a grievance meeting. The sub-committee's letter will include the following:

- The names of its Chairman and other members
- A summary of the employee's grievance based on his/her written submission
- The date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will be within 25 working days of when the Council received the grievance
- The employee's right to be accompanied by a trade union representative or work colleague
- A copy of the Council's grievance policy
- Confirmation that, if necessary, witnesses may attend on the employee's behalf and that the employee should provide the names of his/her witnesses at least 5 working days before the meeting
- Confirmation that the employee will provide the Council with any supporting evidence at least 5 working days before the meeting.

The Grievance Meeting

9. At the grievance meeting:

- The Chairman will introduce the members of the sub-committee to the employee
- The employee (or companion) will set out the grievance and present the evidence
- The Chairman will ask the employee what action he/she wants the Council to take
- Any member of the Grievance sub-committee and the employee (or the companion) may question any witness
- The employee (or companion) will have the opportunity to sum up the case
- The Chairman will provide the employee with the sub-committee's decision, in writing, within 5 working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal
- A grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the Grievance sub-committee.

The Appeal

10. If an employee decides that his/her grievance has not been satisfactorily resolved by the Grievance sub-committee, he/she may submit a written appeal to the Council. An appeal must be received by the Council within 5 working days of the employee receiving the Grievance sub-committee's decision and must specify the grounds of appeal.

11. Appeals may be raised on a number of grounds, e.g.:

- A failure by the Council to follow its grievance policy
- The decision was not supported by the evidence
- The action proposed by the Grievance sub-committee was inadequate/inappropriate
- New evidence has come to light since the grievance meeting.

12. The Appeal will be heard by a panel of 3 members of Council who have not previously been involved in the case. The Appeal Panel Chair will be the Chair of the Parish Council unless the grievance is against the Chair of the Parish Council or the Chair of the Parish Council has been

previously involved. In this instance, the appeal panel will appoint a chairman from one of its members.

13. The employee will be notified, in writing, within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will take place within 25 working days of the Council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a trade union representative or work colleague.

14. At the appeal meeting, the Chairman will:

- Introduce the panel members to the employee
- Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the Grievance sub-committee
- Explain the action that the appeal panel may take.

15. The employee (or his/her companion) will be asked to explain the grounds of his/her appeal.

16. The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within 5 working days of the appeal meeting.

17. The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.

18. The decision of the appeal panel is final.

— policy ends here —

Equality of Opportunity Policy

Statement

The purpose of this policy is to provide equal opportunities to all employees, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken). We oppose all forms of unlawful and unfair discrimination whether it be direct or indirect discrimination, victimisation or harassment on the ground of any of the protected characteristics defined in the Equality Act 2010.

It is unlawful to discriminate against an individual on the following grounds:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

Under the Equality Act 2010 these are known as “protected characteristics”.

Herstmonceux Parish Council is committed to encouraging equality and diversity among our members and workforce and eliminating unlawful discrimination.

The aim is for our members and workforce to be truly representative of all sections of our parish communities, and for each member and employee to feel respected and able to give their best.

The organisation - in providing services and/or facilities - is also committed against unlawful discrimination of customers or the public

1. Introduction – the Equality Duty

1.1 The Equality Duty is a duty, set out in Section 149 of the Act, on public bodies, as listed in Schedule 19 of the Act.

1.2 Herstmonceux Parish Council has **due regard** (conscious and proportionate consideration) to the need to:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equalities Act 2010;
- advance equality of opportunity between people who share a protected characteristic (below) and people who do not share it, the protected characteristics;
 - age
 - disability
 - gender reassignment
 - pregnancy and maternity
 - race – including ethnic or national origin, colour or nationality
 - religion or belief – including lack of belief
 - sex
 - sexual orientation

- foster good relations between people who share a protected characteristic and people who do not share it.

1.3 Herstmonceux Parish Council support good decision making by ensuring consideration of how different people will be affected by their activities. This helps the Parish Council to ensure fair recruitment and employment practices and the delivery of policies and services are efficient and effective; accessible to all and which meet different people's needs.

2. Members of the public

2.1 The Council opposes all forms of unlawful and unfair discrimination.

2.2 When within their remit, the Council seek to advance equality of opportunity by;

- removing or minimising disadvantages suffered due to peoples protected characteristics;
- meeting the needs of individuals with protected characteristics who live or visit the parish;
- encouraging those with protected characteristics who live or visit the parish to participate in public life or in other activities where their participation is low

2.3 The Council recognises that many members of the public use its services or visit its premises. The Council takes seriously its responsibility to members of the public and affirms that they will be treated with respect.

2.4 The Council takes seriously its responsibility as an employer and affirms that they expect members of the public to treat employees, members and voluntary helpers with respect.

3. Employment Principles

3.1 Herstmonceux Parish Council will advance equality of opportunity to, and not discriminate against, any employee, member or voluntary helper, irrespective of their social class, age, ability, gender or gender re-assignment status, marital status, race, religion or belief, sexual orientation and those who are pregnant or fall within a period of maternity.

3.2 Recruitment, promotion, training, remuneration or any other benefit will be based on aptitude and ability.

3.3 All employees whether full-time, part-time, fixed contract, agency workers or temporary, will be treated fairly. Individual support needs will be identified through the induction and ongoing performance management process. Where necessary, the Council will make reasonable adjustments to ensure the needs of employees with protected characteristics are met.

3.4 All employees, members and voluntary helpers will be encouraged and supported to develop their full potential and talents.

3.5 Resources of the workforce and the Council will be fully utilised to maximise the efficiency of the organisation.

4. Organisational Responsibilities

4.1 The Council's is responsible for publishing annual information to show their compliance with the Equality Duty (bullet point 1.2) and to set equality objectives (bullet point 7), at least every four years; and

4.2 Overseeing the implementation, monitoring and review of the Equal Opportunities Statement (bullet point 1).

4.3 The Clerk's responsibilities include communicating the Public Sector Equality Duty and Equalities Policy and the implementation of both where applicable in the work of the Council. The focus will remain on performance rather than process notwithstanding:

- Knowledge and timing – of the requirements of the Equality Duty and consciousness of the Duty in development of policy options and decision making
- Consideration and sufficient information – The Duty must be exercised in such a way that it influences an informed final decision
- Delegation – any third parties exercising functions on behalf of the Parish Council are required to comply
- Review – The Duty is a continuing duty and must be regarded in reviews of relevant policies.

4.4 The Clerk may also advise Members on equality matters in areas such as recruitment, reasonable adjustment and other matters appertaining to equality of opportunity.

4.5 The co-operation of all members and employees is essential for the success of this policy. However, ultimate responsibility for achieving the policy's objectives and for ensuring compliance with relevant statutes and codes of practice lies with the council.

4.6 Intentional breaches of the provisions or spirit of this policy will be regarded as misconduct and could lead to disciplinary action for employees (in accordance with the council's disciplinary policy) or a complaint against Members through Council's Code of Conduct, to Democratic Services.

5. Legal framework

5.1 The policy will be implemented within the framework of the Equality Act 2010.

6. Herstmonceux Parish Council Equality Objectives:

	Objective	Measure	Monitoring and Review (actions undertaken and outcomes)
1	Compliance with our own equal opportunities policy and associated communications / employment / workplace policies	Member and employee knowledge and understanding of Public Sector Duty (Section 149) Member and employee knowledge and understanding of Specific Duties (Section 153)	
2	Neighbourhood Plan consultation and Referendum to be made available to all members of the Parish	Consideration and recording of measures put in place for accessibility and participation in having a voice for all parishioners in the community, including those who may have limited opportunities to be involved due to: <ul style="list-style-type: none"> • Age • Disability 	

— policy ends here —

Expenses Policy

The following expenses policy applies to all staff and members.

If you necessarily incur additional expense in the course of your work in respect of travel, meals or overnight accommodation it will be reimbursed provided that it is approved expenses and subject to appropriate evidence of the expenditure being produced.

Mileage will be reimbursed at NJC rates in force at the time for mileage incurred in the performance of Council business.

In addition the Council will reimburse in line with staff contracts the following expenses

- Telephone and internet charges including connection charges.
- Purchase of office equipment
- Purchase of office consumables
- Additional insurance premiums

All claims for expenses should be submitted in a timely manner.

— policy ends here —

Health and Safety Policy

General Statement

The Health and Safety at Work Act 1974 sets out the general duty of employers, and states the main principle as 'it shall be the duty of every employer to ensure, as far as is reasonably practical, the health, safety and welfare at work of all its employees.'

Employees have a duty 'to take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work.'

Our policy is to provide and maintain safe and healthy working conditions, equipment and systems of work for all employees, and to provide such information, instruction, training and supervision as they need for this purpose.

The council recognises and accepts this responsibility for providing a safe environment for its employees, contractors, voluntary helpers, and for the health and safety of any other person who may be affected by its activities as far as is reasonably practical.

Overall and final responsibility for health and safety in the Council and for compliance with the Health and Safety at Work etc. Act and Regulations made under the Act and the Occupiers Liability Act is that of Herstmonceux Parish Council. The Clerk is responsible for this policy being carried out at all the Council's premises and the Assistant Clerk will be responsible in his/her absence.

All employees have the responsibility to co-operate in achieving a healthy and safe workplace and to take reasonable care of themselves and others.

Defibrillators are located at:

Cowbeece – outside wall of the Merrie Harriers

Herstmonceux - on the outside walls of the Village Information Centre, the Cricket Pavilion, Herstmonceux Primary School, the Fire Station

Windmill Hill – Red Phone Kiosk opposite the Village Stores

Health and Safety Officer

1. The role of the Health and Safety Officer shall be the responsibility of the Clerk.

Sensible risk management

2.1 The council will implement its Health and Safety policy to fulfil its responsibilities, and adopt a sensible approach to risk management designed to:

- Ensure a safe place of work and live
- Provide sufficient information, instruction and training for employees, contractors and voluntary helpers to ensure all are properly protected in their council activities
- Ensure that risks that are created are managed responsibly
- Ensure that precautions taken are appropriate to the perceived level of risk
- Establish an audit trail of asset monitoring and risk assessment records

2.2 The sensible risk management approach will ensure the council does not:

- Use 'Health and Safety' as a reason for preventing an activity
- Scare people by exaggerating risks or publicising trivial risks
- Create unrealistic demands prior to agreeing an activity

Risk assessments

3.1 The Management of Health and Safety at Work Regulations 1999 require employers to carry out risk assessments.

3.2 A risk assessment should be a practical exercise examining what, in your work, could cause harm to people, and putting in place controls to minimise the identified risks.

3.3 The Health and Safety executive (HSE) promote a risk assessment process which follows the five following steps:

- Identify the hazards
- Decide who might be harmed and how
- Evaluate the risks and decide on precautions
- Record the findings and implement them
- Review the risk assessment and update if necessary

3.4 Employees will conduct annual office and home-work station risk assessments and report the findings to the Personnel committee with a written report.

3.5 Employees will consider and ensure application of necessary safety measures when lone working. See Council's Lone Working Policy.

3.6 The council will conduct risk assessments as and when they perceive these necessary, such as for any event or activity that might pose a risk to the health and or safety of any member or employee.

3.7 The council and its employees will conduct regular, - risk assessments of its recreational spaces, playground equipment and Highways Assets and report the findings to the Clerk.

3.8 Annual ROSPA, or similar, Risk Assessments will be undertaken and will be the responsibility of the Grounds Working Group

3.9 A full record of all risk assessments will be kept in the council office, including details of any remedial action taken.

3.10 Annual asset checks, Council scheduled checks and any risk assessment feedback will inform longer term financial planning for safety maintenance needs.

3.11 A written record of any accidents, injuries or incidents will be retained in the council office and referred to when completing any risk assessment.

Induction and duties

4.1 The council will ensure all employees are trained in the use of any work items provided to them to fulfil their duties.

4.2 The council will actively involve staff members in completion of risk assessments connected to their respective roles and encourage staff members to raise any health and safety concerns they have with their line managers.

4.3 The council recognise its obligations to consult with its employees as detailed in the Health and Safety (Consultation with Employees) Regulations 1996 and the Safety Representatives and Safety Committee Regulations 1977.

The Health and Safety Officer shall:

5.1 Keep updated with relevant Health and Safety legislation and inform the Council accordingly.

- 5.2 Make effective arrangements to implement the Health and Safety at Work Policy.
- 5.3 Ensure that matters of Health and Safety are recorded and reported to Council / Committee.
- 5.4 Ensure that employee personal risk assessments are carried out where necessary.
- 5.5 Maintain a record of the risk assessments and the generic risk register.
- 5.6 Make effective arrangements to ensure that contractors or voluntary helpers working for the council comply with all reasonable Health and Safety at Work requirements.
- 5.7 Ensure that work activities by the Council do not unreasonably jeopardise the health and safety of members of the Council or the general public.
- 5.8 Maintain a central record of and report any notifiable accidents.
- 5.9 Take immediate action when an accident or hazardous incident occurs, to prevent a recurrence or further accident.
- 5.10 Complete the necessary accident reporting procedure in the event of the above.
- 5.11 Ensure that equipment used by employees is regularly maintained and serviced.

All employees, contractors and voluntary helpers will:

- 6.1 Cooperate fully with the aims and requirements of the Health and Safety at Work Policy and comply with Codes of Practice or work instructions for Health and Safety.
- 6.2 Take reasonable care of their own Health and Safety, use appropriate personal protective clothing and, where appropriate, ensure the appropriate First Aid materials are available.
- 6.3 Take reasonable care for the Health and Safety of other people who may be affected by their activities.
- 6.4 Not intentionally interfere with or remove safety guards, safety devices or other equipment provided for Health and Safety.
- 6.5 Not misuse any plant, equipment, tools or materials so as to cause Health and Safety risks.
- 6.6 Report any health and safety issues, accidents or hazardous incidents to the Clerk. The Clerk will either manage the raised issue, as per the Council's Standing Orders and Financial Regulations (see S4. Budgetary Control and Authority to Spend) or bring it to the attention of the council.
- 6.7 Ensure that contractors and volunteers have adequate and appropriate insurance.

Other legislation

- 7.1 The council will be mindful of other legislation which may affect its responsibilities for Health and Safety and take these into account when assessing risks, in particular:

- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Personal Protective Equipment at Work Regulations 1992
- The Manual Handling Operations Regulations 1992
- The Health and Safety (Display Screen Equipment) Regulations 1992

7.2 The council is also aware of other legislation which could affect its future responsibilities for health and safety, in particular:

- The Health and Safety (First Aid) Regulations 1981
- The Electricity at Work Regulations 1989
- The Confined Spaces Regulations 1997
- The Provision and Use of Work Equipment Regulations 1998
- The Lifting Operations and Lifting Equipment Regulations 1998
- The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- The Work at Height Regulations 2005
- The Regulatory Reform (Fire Safety) Order 2005
- The Control of Asbestos Regulations 2012
- The Reporting of Injuries, Disease and Dangerous Occurrences Regulations 2013

(RIDDOR)

A RIDDOR report is required when:

- The accident is work-related.
- It results in an injury of a type which is reportable.

Types of reportable injury:

The death of any person - All deaths to workers and non-workers must be reported if they arise from a work-related accident, including an act of physical violence to a worker.

(Please [follow this link](#) for full information as to what must be reported)

(Please [follow this link](#) to follow the HSE guidance for submission of a RIDDOR report)

Insurance

8.1 The council will meet its legal obligations to insure against liability or disease to their employees arising out of their employment under the provisions of the Employers' Liability (Compulsory Insurance) Act 1969.

Grounds Maintenance

9.1 Only contractors or authorised members of staff, who have received training and instruction in the operation of machinery and equipment may do so.

9.2 All dangerous moving parts of machinery must be guarded and not removed except for the purpose of repair/maintenance. All machinery must comply with statutory regulations for guarding and use.

9.3 The engines of any motorised equipment must be off / plug lead disconnected / battery disconnected before any inspection or adjustment is carried out.

9.4 Children must not be allowed to play in an area where machinery is in use. Machinery must not be left unattended where children (or others) may interfere with them.

9.5 Stones and similar objects should be cleared from the path of equipment to prevent such objects being projected from machinery.

9.6 Fuel tanks must only be filled in the open, with the engine stopped. No risk of naked flames, or smoking is allowed in the vicinity of a fuel tank or storage can. Fuel may only be stored in a safety can of a type approved, and in a safe store.

9.7 The manufacturer's instructions regarding the safe use of chemicals must be adhered to.

9.8 Appropriate protective clothing such as gloves and overalls, face masks and boots must be used when operating machinery and when using chemicals including herbicides and pesticides.

9.9 Ladders and stepladders must be in good condition and free from defects and securely positioned at all times when in use.

— policy ends here —

Lone Working Policy

Legislation:

The Primary requirement of the Health and Safety at Work Act 1974 imposes a 'Duty of Care' on organisations for all its employees. This duty is reinforced by various other acts and regulations, such as the Management of Health and Safety at Work Regulations 1999 (MHSWR) which stresses the requirement for risk assessments. The 1999 regulations also impose a duty on organisations to exchange health and safety information with contractors, particularly where lone workers are involved.

Policy & Guidance:

Lone working' refers to situations where staff in the course of their duties work alone or are physically isolated from colleagues and without access to immediate assistance. The Council place a priority on the safety of the individual over property or assets at all times.

Several hazards present themselves to staff working alone, ranging from personal accident or sudden illness to personal attack. The Parish's staff complement currently consists of the Clerk, Assistant Clerk, Groundsman / Handyman. It is unavoidable that these employees are required to work on their own as part of their employment. In that context, the Parish has endeavoured to minimise as far as is reasonably practicable, risk or hazards that may exist and the Council remain committed to supporting staff in establishing and maintaining safe working practices and maintaining a clear understanding of responsibilities.

- 1.1 Staff should take all reasonable precautions to ensure their own safety, as they would in any other circumstances; all employees are encouraged to follow safe systems of working.
- 1.2 Lone workers have access to either personal alarms, mobile phones or a land phone line for use in an emergency.
- 1.3 A first aid box is available at the Parish Office. A mini first aid kit is provided for non-office based staff.
- 1.4 Risk assessments are undertaken of key working practices, employee are encouraged to report areas of concern that they may have.
- 1.5 Employee should report any new or unrecorded hazards or risks at the first opportunity. To enable initiation of appropriate safe working arrangements and amend risk assessment records as required. The Clerk will report to the Chair of Council and Chair of relevant sub-committee and other staff should report to the Clerk.
- 1.6 Lone workers are required under the H&S Act 1974 to take all reasonable safety precautions when undertaking their work.
- 1.7 Employees should inform the Parish Council of any change to their personal circumstances, including health, which might have a bearing of their safe working arrangements.
- 1.8 Employees are encouraged to walk away from situations where conflict may put them in danger and to report the incident as soon as possible.
- 1.9 Staff will use their best endeavours to ensure safe working practice whilst Lone Working when outside or not working from home, especially if working outside, early mornings or late in the day and during the darker winter months. Employees are encouraged to be extra careful and vigilant after dark, e.g., to park in well-lit areas where possible.

— policy ends here —

Sickness Absence Policy

Introduction

1. The aim of the Sickness Absence Policy is to:
 - a. Ensure high levels of attendance, thus maintaining satisfactory levels of service delivery and minimising the cost of sickness absence.
 - b. Help the Council meet its general duty of care to all employees.
 - c. Provide a fair mechanism for dealing with sickness absence and resolving any problems that arise and give staff reassurance that sickness will be treated fairly.
2. Sickness absence is a key issue for the effective management of staff. It is inevitable that people experience ill health from time to time and that this will prevent them from attending work. This policy aims to strike the right balance between its responsibilities as a caring employer and consistent, effective action by managers in handling this sensitive issue.

Responsibilities

3. The responsibility of staff and managers are set out below:

Staff Responsibilities – you are expected to:

- 3.1 Maintain a high level of attendance
- 3.2 Follow all Health and Safety rules and guidance
- 3.3 Comply with procedures for reporting sickness absence
- 3.4 Provide information on the reason for absence and any documents when asked
- 3.5 Use your best endeavours to ensure a speedy return to work i.e. follow doctor's advice, take medication as required etc.
- 3.6 Not undertake any other paid or unpaid employment while off sick that may affect your recovery ie unless approved by the Doctor / agreed by the Council

Manager Responsibilities – managers are expected to:

- 3.7 Manage the absence of their staff using the Sickness Absence Procedures
- 3.8 Make sure that all staff are aware of the Sickness Absence Procedures
- 3.9 Ensure all Health and Safety rules and guidance are followed
- 3.10 Ensure that care is taken to maintain confidentiality throughout the management of sickness absence

Short Term Sickness

4. Short term sickness is something that all staff are likely to experience. If you are too ill to work then you are expected to keep your manager informed of your condition and your likely return to work. You should ring by 8.30 in the morning if you are not able to work, if you do not give an estimated return to work date on the 1st day of sickness you should ring your manager on day 2 to confirm your continued absence.
5. A medical certificate must be provided for any absence that lasts longer than 7 calendar days. This can be provided at any time but must be provided no later than the 13th day of absence. The certificate must cover the sickness from day 8.

6. Failure to comply with the above reporting procedure may lead to you being recorded as absent without permission with a deduction in pay.

Long Term Sickness

7. Long term sickness is defined as a period of sickness lasting for more than four working weeks. In the event of long term sickness the following items will be reviewed:

- 7.1 Consider the reasons behind the long term absence
- 7.2 Plan welfare calls and visits to keep in contact with you
- 7.3 Arrange any meetings we may need to have with you
- 7.4 Consider advice received from your GP or ask for your permission to approach your GP
- 7.5 Any adaptations we can make that would enable you to return to work in some form
- 7.6 The likely timescales around your absence

8. After this initial review, your case will be reviewed every 8 weeks.

9. With an indication of your return-to-work date we will contact / meet with you to discuss the best way for you to return to work. This may mean that we would discuss some adaptations in the short term to help you return after a long period of absence.

10. If it becomes apparent that you are unlikely to return to work within a reasonable time scale we will meet with you to look at options and discuss what is in the best interests of you and the Council.

Sick Pay Scheme Entitlements

11. Entitlement to sickness allowance is outlined in your contract of employment.

— policy ends here —

Training and Development Policy

Statement

This purpose of this policy is to set out the Council's position on the provision of training and development opportunities for staff. It applies to all staff whether full or part time, temporary or fixed term.

Herstmonceux Parish Council wishes to ensure that all Councillors and staff are given the opportunity for appropriate and adequate training, to improve their ability to fulfil their duties, and to aid personal development and enhance "job-satisfaction".

Training will be obtained from many sources, and may be arranged for individuals and/or groups. It may take the form of a short seminar; a day or more (possibly residential); a course of training or study, in the workplace or at a local training facility/education centre, or by distance-learning. It may be delivered by professional trainers or specialist tutors, or may be simply a programme of mentoring by an experienced colleague.

For reasons of practicality and budget, Member and staff training will be considered only if relevant to a present, or anticipated, role, but there may be opportunities to support staff in higher-level studies or training and individual requests will be considered. Members will normally be provided training only in those areas relevant to their individual role, and specific technical or skills training, such as would be required for staff to perform their duties, will only be considered for Members in the event that "spare" places on a course or seminar become available, or their training would involve only modest additional cost.

For the future, this policy will help to maintain and improve the level of general ability of all staff and Councillors, as new entrants join the Council and as individual roles evolve or change. To ensure that this remains effective, a comprehensive review of training needs will be carried-out **each year** by the Clerk using questionnaires and follow up discussions as appropriate. Adequate budget provision will be accorded a high priority.

Councillors newly-elected to Herstmonceux Parish Council will be encouraged to undertake generic 'new councillor' training within their first year in office, dates dependent on ESALC (or similar) delivery, and asked to complete a Training Needs Assessment questionnaire within four months.

Newly-appointed staff will complete a training needs assessment within two months of starting work. Specific courses, programmes, or selection of materials will be agreed as necessary by the Clerk with the Personnel Sub-Committee, and this sub-committee will periodically review the effectiveness of training.

Identifying, Meeting and Evaluating Training and Development Needs

Training and development needs will be identified from a variety of sources:

- Induction and probationary periods
- One-to-ones
- Appraisal
- Workforce planning
- Team meetings

- Annual plan
- Change processes

In addition, the council will encourage staff to identify their own learning styles and will seek to provide a wide variety of learning and training methods, including:

- Attendance at conferences, seminars and short courses
- Online training
- Internal coaching
- Shared in-house learning resources (books, journals, DVDs etc.)
- In house training
- Work shadowing
- Time for self-directed research and learning

Consideration

A number of factors will be taken into account when assessing a request from an individual. This policy provides one element of the decision-making process. Other factors will include availability of finance and the individual's employment record.

In order to ensure that the council is able to consistently evaluate requests, training and development opportunities have been organised into three categories according to the degree of importance each intervention has for different roles.

Categorising training and personal development

The three categories are as follows:

1. Mandatory

Mandatory training is legally required for the post-holder, or a qualification deemed to be so fundamental to the role, that the council makes it a mandatory requirement. Any mandatory training or qualifications are to be stated on the job description. For mandatory qualifications, it is unlikely that an applicant would be recruited without having previously attained the qualification. Where a qualification becomes mandatory for the role, the council will provide reasonable assistance for the employee to attain the qualification (see the section on Guidance for Support below).

Some mandatory training may be specific to a particular job role whilst other training may be a generic requirement. Examples of mandatory training include:

Generic training

- Health and Safety
- Data Protection

2. Desirable

Desirable training is not legally required for the post, but it is directly relevant to the individual's job. Any desirable training or qualifications are to be stated on the job description.

For desirable qualifications or training, an individual may be recruited without having previously attained the qualification or undergone the training but may be expected to attain the qualification within a defined period of time. The need for training may also be identified through one-to-one meetings or annual appraisals. A desirable qualification is likely to enhance the skills and reputation of the council. Examples may include:

Job specific

- Certificate in Local Council Administration (CiLCA)
- Microsoft i.e Excel

3. Optional

An optional qualification or optional training may not be directly linked to the individual's current job. Optional training or development is generally more beneficial to the individual's career than it is for the council.

Personal development aimed at developing the skills or knowledge of an individual in order to provide a successor for an existing job is deemed to be optional. However, depending on the circumstances, training for succession may be 'desirable'.

Job specific

- Community Governance

Guidance for support

Support for qualifications, training and personal development can include financial assistance towards the cost of tuition, examinations and resource materials in addition to half / day release and time off for study leave and taking the examination]. Any financial and non-financial support to training and development is entirely at the discretion of the council.

Financial support for taking a full qualification, including the offer of a loan, will always be conditional upon the employee's agreement to either a full or partial repayment of the financial support provided should the following apply. The council reserves the right to reclaim financial support where the employee:

- Leaves the council during the duration of the course, or up-to 1 year following completion of the course.
- Fails to complete the training
- Fails to attend training without good reason]

Study leave

Where individual requires study leave to undertake mandatory training, they will be able to take all the leave within normal working hours.

Where individuals require study leave to undertake training which is not mandatory but part of the individual's desire for career development, the council will contribute up to 3 days study leave per annum for courses which are directly related to the individual's role.

Time off for study leave must be approved in advance. To make a request the individual is asked to write to the Clerk (or Chairman of the Council), setting out the details of the course of study, how it relates to their work, and the time being requested.

No study leave will be granted where individuals undertake study which is not required for their role, or not directly related to their role. However, the Clerk (or Chairman of the Council) will consider

requests for flexible working to allow the study to take place, as long as the needs of the council can be met.

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

— policy ends here —

Notes

1. Green Book terms

If the council adopts Green Book terms and conditions of employment, staff attending or undertaking required training are entitled to payment of normal earnings; all prescribed fees and other relevant expenses arising. Employees are also entitled to paid leave for the purpose of sitting for required examinations. When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as fulltime employees.

2. “Being a good employer – a guide for parish and town councillors”.

The “Being a good employer guide” provides comprehensive advice and guidance around training and development, including what a policy might contain, identifying training needs, as well as information and guidance on appraisal.