



HR Committee
Tuesday 9 June 2026 at 9:30 am

This meeting will be held at
The Community Room, Broomhall Recreation Ground.

Agenda

Councillors

Cllr Evans (Chair), Cllr Hilton, Cllr Buxton, Cllr Coxon.

You are hereby summoned to attend the HR Committee meeting on the above date and time.

HRC 01 / 26 Chair welcome

Chair to welcome those present to the meeting, reminding them that all mobile devices are switched to silent for the duration of the meeting. A reminder to all in attendance of the fire safety regulations for the venue of the meeting.

HRC 02 / 26 Attendance and Apologies for absence

To receive for approval any apologies for absence and if appropriate any requests to defer receiving an acceptance of office to a later meeting.

HRC 03 / 26 Disclosable pecuniary interests and other registerable interests

To receive from members any declarations of interests in relation to any items included on the agenda for this meeting required to be disclosed by the Localism Act 2011 and the Sunningdale members' Code of Conduct.

HRC 04 / 26 Minutes of HR meeting 10 March 2026

DECISION: To approve the minutes of the HR Committee held on 10 March 2026.

HRC 5 / 26 Appointment of Vice-Chair of the HR Committee

DECISION: To appoint a Vice-Chair for the HR Committee.

HRC 6 / 26 Mobile Phone Policy

DECISION: To approve the Mobile Phone Policy (following prior review) before submitting to council for adoption.

HRC 7 / 26 Driving for Work Policy

DECISION: To approve the Driving for Work Policy (following prior review) before submitting to council for adoption.

HRC 8 / 26 Code of Conduct Policy Review

DECISION: To approve the Code of Conduct Policy (following prior review) before submitting to council for adoption.

HRC 9 / 26 Staff Handbook

TO NOTE: To receive an update from the Clerk regarding the staff handbook.

HRC 10 / 26 Expenses Policy

DECISION: To approve the Expenses Policy (following prior review) before submitting to council for adoption.

HRC 11 / 26 TOIL Policy

TO NOTE: To receive an update from the Clerk regarding the TOIL Policy.

HRC 12 / 26 BACS Payroll paper

DECISION: To review the updated BACS payroll paper (following prior review) before submitting to council for approval.

HRC 13 / 26 Date of next meeting

TO NOTE: To note the date of the next HR Committee meeting on the 10 September 2026 and bring forward any relevant updates from the members of the committee and the Clerk.

HRC 14 / 26 To resolve to exclude members of the public and press in accordance with the Public Bodies (Admission to Meetings) Act 1960, due to the confidential nature of the business to be transacted (staffing arrangements).

Part 2 – Confidential

HRC 15 / 26 Update from the Chair of the HR Committee

DISCUSSION: To receive an update from the Chair of the HR Committee regarding a HR matter.

Supporting documents for agenda items will be circulated to committee members prior to the meeting.



Natalie Hayes, Clerk and RFO

04 June 2026



HR Committee Meeting Minutes Tuesday 10 March 2026

HRC 45 / 25 Chair welcome

The Chair opened the meeting and reminded attendees of the fire regulations and to switch mobile phones to silent.

HRC 46 / 25 Attendance and apologies.

Attendance: Cllr Hilton (Chair), Cllr Buxton, Cllr Evans, and Cllr Morgan

Apologies: Cllr Penney

In Attendance: Natalie Hayes – Clerk/RFO

HRC 47 / 25 Disclosure of pecuniary interests and other registerable interests

No members declared a personal interest in any items on the agenda.

HRC 48 / 25 Minutes of HR meeting 4th December 2025 and 15 January 2026

RESOLVED: To approve the minutes of the HR meeting held on 4 December 2025 and 15 January 2026.

HRC 49 / 25 Mobile Phone policy

The committee discussed the mobile phone policy and had the following points to note.

Cllr Buxton's feedback:

- Asked if the policies in general an introductory statement and a form could have so that councillors could confirm they have understood and agree to them. She also asked that all policies be formatted to the same template.
- Remove part 1 from section 5.
- Reword section 4 regarding no unauthorised software to be downloaded and add that the Clerk is to authorise.
- Suggestion to amend to say officers and remove councillors from the policy so not to confuse matters. Amend the title of the document

TO NOTE: The Clerk advised that formatting the policies was already something that she would like to implement and advised it would be part of a wider project to create a new policy section on the Parish Council website.

Cllr Morgan's comments were:

- Policies should be scrutinised and advised who is responsible for them
- Acceptable use – replace significant with no additional costs to be incurred e.g. international calls, sharing photos can cause additional costs to be incurred.

- Limited personal use on the phone – rephrase this section
- Paragraph 8 – review as language is negative, suggestion to use out of hours during exceptional and appropriate circumstances
- Out of hours contact for the public; do local Parish Council have any research on the matter as to why they have this service for residents.

ACTION: Clerk to explore what other Parsh Councils do in regard to out of hours contact, and report back to the next HR committee meeting.

HRC 50 / 25 Staff Handbook

The Clerk gave an update on the status of the Staff Handbook. The following points were raised:

Add an introduction section to advise it's a working document

Check that the approved grievance policy is replicated in the handbook – section 5.4

Include TOIL in the handbook once this policy has been approved

The layout of the handbook should be addressed so each policy starts on a new page for ease of use, and the contents page updated accordingly.

Ensure the Data protection and IT policy align with new regulations

Ensure there is a section on the following in the handbook: reference to the employee contract, Lone worker policy, TOIL Policy and Out of hours. Cllr Hilton advised that she had shared these policies with the committee previously.

Add note about no drinking whilst on duty during working hours, for all employees, make it a blanket approach for all employees

ACTION: Clerk to add notes and update the document and then share with HR Committee. Clerk to share Croner contract with HR committee and speak to account manager to review the account.

HRC 51 / 25 Company Vehicle rules

The committee discussed the company vehicle rules. Several points were raised, including:

In general, they thought the policy wasn't suitable for a Parish Council.

Intro to the document required so summarises the document.

Policy should be related to the employee contract, which needs to be addressed.

Discussion around if can be used for personal use and process for approving this as required.

The committee noted that the installation of a dashcam may reduce insurance costs.

Record actions for transparency e.g. log mileage

If vehicle is used for the job, it would be linked to the employment contract.

Can add in a policy that there is to be no drinking alcohol whilst on duty (link to contract when reviewing all employee contracts)

Remove references to company car, and state it is a council vehicle.

ACTION: Clerk to review the document based upon feedback and create a new updated version to be shared with all the HR Committee for further review.

HRC 52 / 25 Expenses Policy

The committee discussed the Expenses Policy, and the following points were raised:

Own vehicle section and claiming mileage; Cllr Evans asked if electric rates could be included in the policy, currently only has petrol. (Gov.uk would have appropriate information on this matter)

Hotels – reword this so would only be appropriate when relates to training events. Add a figure for hotels, up to £500, so it is aligned within the Clerks delegated authority.

Own vehicle section - add in reference to officers, not just councillors

ACTION: For transparency going forwards, any expenses claimed by the Clerk are to be approved by Chair of HR.

HRC 53 / 25 TOIL Policy

The committee discussed the TOIL Policy, and the following points were raised:

Cllr Buxton advised that there was nowhere within the policy that stated overtime should be paid for officers under spinal column point 22.

The Committee are to review TOIL payment for all officers not just those SCP 22 and below.

TOIL should be taken within timescale, when goes over an upper limit, look to pay for overtime.

HR committee suggested that they review hours worked every 6 months to address any requirements.

Principle governing section – add Council Events as an example to be included.

Cllr Evans requested that the budgets align with any amendments that are made to the policy and paying TOIL.

ACTION: Clerk to provide update to HR committee when TOIL accumulated for all officers and when it was accumulated over the last 2 years.

ACTION: Amend document to say officer/s and not employee.

ACTION: Take to next meeting with more background information provided e.g. hours worked, feedback from other Clerks and parish councils with their guidelines for claiming overtime and TOIL.

HRC 54 / 25 Code of Conduct Policy Review

The committee discussed the Code of Conduct policy, and the following points were raised:

Cllr Evans asked if NALC had made any changes since the code of conduct was reviewed in May 2025.

The Clerk advised that there had been changes to the code of conduct in 2025, particularly in relation to the use of social media and electronic communications by Councillors.

ACTION: Clerk to share with all councillors the updates to the code of conduct in reference to social media.

HRC 55 / 25 Appointment of Vice-Chair of the HR Committee

This item was brought forward on the agenda and considered immediately after item HRC 48/25.

Cllr Hilton proposed the nomination of Cllr Buxton as Vice-Chair of the HR Committee, which was seconded by Cllr Evans.

RESOLVED: That Cllr Buxton be appointed Vice-Chair of the HR Committee.

HRC 56 / 25 Information Sharing

CLlr Hilton updated the committee on the appraisal section of the Standing orders not aligning with other policies being inconsistent.

The Clerk advised that her report would be shared with the committee via email as the meeting was running behind schedule.

HRSC 57 / 25 To resolve to exclude members of the public and press in accordance with the Public Bodies (Admission to Meetings) Act 1960, due to the confidential nature of the business to be transacted (staffing arrangements).

Although these agenda items were held in confidential session, the minutes are not considered confidential.

Part 2 – Confidential

HRC 58 / 25 Update from the Chair of the HR Committee

At 11:05am the Clerk left the meeting so that matters of a confidential nature could be discussed.

The Clerk returned to the meeting at 11.15am.

The Chair provided an overview of the HR matter and advised that legal advice had been sought. Several questions were raised by the committee that the Clerk would request answers to from Wellers Hedley, the appointed solicitors.

The meeting started at 10:05 am and closed at 12:23 pm.

Signed as a true record of the meeting:

Signed: _____

Dated: _____



SUNNINGDALE PARISH COUNCIL

Document reference: PC-GOV-005

Document title: Mobile Phone Usage Policy for Council Officers

Version: v1.0

Adopted by: Full Council

Date adopted: 2026

Minute reference: /26

Next review due: June 2028

Owner: Clerk / RFO

Status: Adopted

Mobile Phone Usage Policy for Council Officers

1. Purpose

This policy outlines the acceptable use, responsibilities, and expectations for council officers issued with mobile phones by the council. It aims to ensure responsible use, protect council data, and manage costs effectively.

2. Scope

This policy applies to all officers who are provided with a mobile phone by the council for work-related purposes.

3. Acceptable Use

- a) Mobile phones must be used primarily for council-related business.
- b) Limited personal use is permitted where it is reasonable, does not interfere with work duties, does not create additional costs for the council, and does not involve inappropriate, offensive, unlawful or excessive use.
- c) Personal use that may incur additional charges, including international calls, premium-rate services, roaming, subscriptions or high data usage, is not permitted unless expressly authorised.

4. Security and Data Protection

- a) Devices must be secured with a passcode or biometric lock. Only applications required for work purposes, or otherwise authorised by the Clerk, may be installed.
- b) Users must not disable security settings, install unauthorised software, or use personal cloud storage or messaging apps for council records unless approved.
- c) Council data must be handled in accordance with UK GDPR, the Data Protection Act 2018, and the council's data protection, records management and information governance policies.

5. Monitoring and Compliance

- a) The council may monitor usage, bills, installed applications, device security status and related records where necessary for legitimate business, security, financial or compliance purposes. Monitoring will be proportionate and carried out in accordance with data protection law and council policies.
- b) Misuse may result in disciplinary action.

6. Driving and Safety

- a) Officers must not use a handheld mobile phone while driving.
- b) Officers should avoid making or taking work calls while driving, including hands-free calls, unless it is safe, lawful and necessary.
- c) Officers must stop in a safe and legal place before using the device.

7. Loss, Theft, and Damage

- a) Loss, theft, or damage must be reported immediately to The Clerk.
- b) Where damage, loss or costs arise from negligence, misuse or breach of this policy, the council may take appropriate action in accordance with its employment policies and any applicable contractual provisions.
- c) Any suspected unauthorised access, data breach, loss of council information, malware infection or compromise of the device must be reported immediately to the Clerk in line with the council's data breach procedure.

8. Contact from Councillors and Out-of-Hours Guidance (Officers)

- a) Officers may occasionally be contacted by councillors outside of standard working hours, particularly in exceptional and appropriate circumstances. Flexibility and professionalism in responding to such situations are appreciated.

- b) Where out-of-hours communication is necessary, it should be undertaken with consideration and respect for officers' personal time and wellbeing.
- c) Officers are encouraged to discuss any concerns about out-of-hours contact with their line manager, who can provide support and guidance, and if required, refer matters to the HR Committee.

9. Return of Equipment

- a) Mobile phones must be returned in good condition upon termination of employment, end of term, or when no longer required for work.
- b) Devices, SIM cards, chargers, cases and any other council-issued accessories must be returned. Before returning, officers should remove personal content where permitted but must not delete council records or information.

10. Review and Updates

- a) This policy will be reviewed every two years, or earlier if required by changes in law, guidance, technology, council procedures or operational needs.
- b) For questions or clarification regarding this policy, please contact The Clerk.



SUNNINGDALE PARISH COUNCIL

Document reference: PC-GOV-006

Document title: Driving for work and use of council vehicles policy

Version: v1.0

Adopted by: Full Council

Date adopted: 2026

Minute reference: /26

Next review due: June 2028

Owner: Clerk / RFO

Status: Adopted

Driving for Work and Use of Council Vehicles Policy

1. Purpose

This policy sets out the requirements for anyone who drives on behalf of the Council to ensure safety, legal compliance, and the wellbeing of employees, councillors, and the public.

2. Scope

This policy applies to:

All employees, councillors, volunteers, contractors, agency workers or any other person authorised to drive on Council business or to use a Council-owned, leased, hired or borrowed vehicle.

3. General Responsibilities

Anyone driving on Council business must:

- a) Hold a valid UK driving licence
- b) Inform the Council immediately of any changes affecting their ability to drive
- c) The Council may request evidence of a valid driving licence and may carry out periodic checks, including checks following an accident, incident, endorsement or change in circumstances.

- d) Drive safely and in accordance with all road traffic laws
- e) Be fit to drive at all times
- f) Only individuals authorised by the Council may drive on Council business or use council-owned vehicles
- g) Drivers must not drive, or attempt to drive, while under the influence of alcohol, illegal drugs, medication, fatigue, illness or any other condition that may impair their ability to drive safely. Drivers must comply with any prescription or over-the-counter medicine warnings.

4. Use of Vehicles

Drivers must ensure that any vehicle used for Council business:

- a) Is roadworthy, properly maintained, and safe
- b) Has valid insurance, MOT (where required), and road tax
- c) Drivers should carry out reasonable pre-use checks, including tyres, lights, mirrors, fluid levels, warning lights, cleanliness of windows, and any visible damage or defects.
- d) Any defects must be addressed before use.

5. Using Your Own Vehicle

Where a private vehicle is used:

- a) Insurance must include business use
- b) The vehicle must be legal, roadworthy, and properly maintained
- c) Evidence of insurance, MOT, and tax must be provided if requested
- d) Mileage will be reimbursed in accordance with the Council's approved rates.

6. Mileage Records

Drivers must:

- a) Keep a record of all journeys undertaken on Council business
- b) Record the date, start and end locations, purpose of journey, and mileage
- c) Submit mileage claims in accordance with the Council's procedures
- d) The Council may require evidence to support mileage claims.

7. Safe Driving Practices

Drivers must:

- a) Plan journeys and allow sufficient time
- b) Take breaks on long journeys (recommended at least every 2 hours)
- c) Adjust driving for weather and road conditions
- d) Wear seatbelts at all times
- e) Avoid distractions

8. Mobile Phones and Distractions

- a) Drivers must not use a handheld mobile phone or similar device while driving, including when stopped in traffic or at traffic lights. Work calls, messages or emails must not be made, read or responded to while driving.
- b) Hands-free use should be avoided unless necessary, safe and lawful. Drivers should stop in a safe and legal place before using a device.

9. Accidents and Incidents

All accidents or incidents must be reported as soon as possible to the Clerk or appropriate officer, regardless of fault.

In the event of a breakdown or emergency:

- a) Drivers should ensure their own safety and that of others
- b) In the event of an accident, drivers should, where safe to do so, obtain the details of other parties, witnesses, vehicles, insurers, police incident numbers and photographs of the scene/damage. Drivers must not admit liability or make any agreement on behalf of the Council.
- c) Contact the appropriate breakdown service where required

10. Fines and Charges

Drivers are personally responsible for:

- a) Fines, penalties or charges arising from unlawful, careless or unauthorised use of a vehicle, including speeding penalties, parking fines and traffic offences.
- b) Properly authorised business costs, such as tolls, parking or congestion charges, may be reimbursed in accordance with Council procedures.

11. Use of Council-Owned Vehicles

Where the Council provides a vehicle:

- a) The vehicle must only be used for authorised Council business
- b) Personal use is not permitted unless expressly authorised by the Clerk
- c) Only authorised and insured individuals may drive the vehicle
- d) The vehicle must be returned in a clean and tidy condition after use
- e) Smoking is not permitted in any Council-owned vehicle, including electronic cigarettes
- f) Drivers must return the vehicle in a clean and tidy condition with personal items removed and must be locked when unattended with keys kept secure.
- g) Any defects, damage, or incidents must be reported immediately
- h) The Council may install safety devices such as dashcams in Council-owned vehicles to support driver safety and assist in the event of incidents or insurance claims
- i) Where dashcams, vehicle tracking, telematics or other monitoring systems are used, the Council will ensure that their use is lawful, proportionate, transparent and compliant with UK GDPR and the Data Protection Act 2018. Drivers will be informed about what data is collected, the purpose of collection, who may access it, how long it will be retained and their rights in relation to that data.
- j) The Council reserves the right to withdraw use of the vehicle at any time.

12. Passengers and Carrying Goods

Drivers must not carry unauthorised passengers, pets, hazardous materials or non-Council goods in Council vehicles unless expressly authorised and lawful.

13 Lone Working and Emergency Arrangements

Where driving forms part of lone working, site visits, inspections or out-of-hours duties, drivers must follow the Council's lone working and personal safety procedures.

14. Compliance

Failure to follow this policy may result in:

- a) Withdrawal of permission to drive on Council business
- b) Disciplinary action for employees, in line with Council procedures

15. Review

This policy will be reviewed every two years, or sooner if required by changes in legislation, guidance, insurance requirements, operational need or following a serious incident.

Driver Declaration Form (Driving on Council Business)

Parish Council Name: _____

Driver Details

- Full Name: _____
- Role (e.g. Employee / Councillor / Volunteer): _____
- Address: _____
- Contact Number: _____

Driving Licence

- Driving Licence Number: _____
- Expiry Date: _____

I confirm that I hold a valid UK driving licence appropriate for the vehicle I will use.

I agree to inform the Council immediately of any endorsements, disqualifications, or changes affecting my licence.

Vehicle Details (if using own vehicle)

- Make and Model: _____
- Registration Number: _____

I confirm that this vehicle:

- Has valid MOT (if required)
- Is taxed and roadworthy
- Is maintained in a safe condition

Insurance

- Insurance Provider: _____
- Policy Number: _____
- Expiry Date: _____

I confirm that my insurance policy **includes business use** for Council activities.

I agree to provide proof of insurance, MOT, and tax upon request.

Declarations

I confirm that:

I have read and understood the Driving for Work and Use of Council Vehicles Policy

I will comply with all legal requirements and safe driving practices

I am responsible for any fines, penalties, or unauthorised charges incurred while driving

I will report any accidents or incidents promptly

I will ensure I am fit to drive at all times

Signature

Signed: _____

Name: _____

Date: _____

For Council Use

Date Received: _____

Checked by: _____

Next Review Due: _____

PART 7 – THE CODES, PROTOCOLS AND ADVICE

A – COUNCILLORS’ CODE OF CONDUCT

Royal Borough of Windsor & Maidenhead Councillors' Code of Conduct

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person

- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination**As a councillor:****2.1 I do not bully any person****2.2 I do not harass any person.****2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

You must undertake training arranged by the Council on equality and diversity within two calendar months of your election and annually thereafter.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should

work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that

might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any multiple or recurring gift or hospitality (with an individual value of less than £25 but a combined total of £50 over a three-month period) received from an individual or group, within 28 days of its receipt.**
- 10.4 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B

Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable pecuniary interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and

must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non- Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- your own financial interest or well-being;
 - a financial interest or well-being of a friend, relative, close associate; or
 - a financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and which has not been fully discharged
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.

Subject	Description
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

You must register as an Other Registerable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the

allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

Appendix D

Arrangements for dealing with breaches of the Code of Conduct

Complaints in respect of this Code of Conduct are made via the Council's Complaints Team.

1. Receipt and Acknowledgment of the Complaint

The Complaints Team will deal with general enquiries relating to Code of Conduct complaints. Complainants will be asked to fill out the online form and will be directed to the Council's website to fill out the online form. Complainants with a disability who are unable to fill out the form may be provided with assistance in filling out the form where necessary or alternative arrangements may be made. The Complaints Team will acknowledge a Code of Conduct complaint within 5 working days and an initial response seeking further clarification or information (where required) will be sent within 10 working days after that. The onus is on the Complainant to ensure that all relevant information is given. The Complainant will be told that full details of their complaint will be given to the Councillor concerned ("the Subject Member").

Anonymous complaints will not be considered unless accompanied by documentary or photographic evidence, evidencing an exceptionally serious or significant matter.

If the Subject Member is a Parish or Town Councillor, the clerk will be informed of the complaint on a confidential basis.

2. Response of the Subject Member

The Subject Member will be contacted by the Complaints Team and within 5 working days of having received all of the required information from the Complainant they will be asked to supply written comments within 10 working days from the complaint being received or such longer time at the discretion of the Monitoring Officer. A Subject Member will be informed that he or she is entitled under the Localism Act 2011 to seek support from one of the Council's Independent Persons

3. Initial Assessment of the complaint by the Monitoring Officer

Once a response has been received from the Subject Member, or when a reasonable time has passed and no responses has been received, the Monitoring Officer will carry out an initial assessment of the complaint. The purpose of the initial assessment by the Monitoring Officer is to determine whether the complaint should be accepted for further consideration or rejected. In determining whether a complaint should proceed the Monitoring Officer may apply the following criteria:

- Acting as a Member: Was the Subject Member acting as a Member at the time of the allegation?¹
- Seriousness of the complaint – is the complaint trivial, vexatious, malicious, politically motivated, or 'tit for tat'? Would the resources/cost involved in investigating and determining the complaint be disproportionate to the allegation if proven? Where

¹ Please refer to "Guidance on Local Government Association Model Code of Conduct" published by the LGA on 8 July 2021

complaints are raised by Members alleging a lack of respect or courtesy by the Subject Member then the Monitoring Officer may reject the complaint – please refer to “Guidance on Local Government Association Model Code of Conduct” published by the LGA on 8 July 2021

- Duplication – Is the complaint substantially similar to a previous allegation or is it subject of an existing investigation? If there is a current complaint about the same matter then a repeat allegation will be rejected unless the complainant is directly harmed by the allegation or they can provide new evidence.
- Length of time – Did the events or behaviour to which the complaint relates take place more than six months prior to receipt of the complaint. Does the time lapse mean that those involved are unlikely to remember matters clearly, or does the lapse of time mean that there would be little benefit in taking action
- Public Interest – In all cases, is the public interest served in referring the complaint further. Has the Subject Member offered an apology or other remedial action which is satisfactory to the Monitoring Officer, taking into account the circumstances of the complaint?

The complainant(s) and the Subject Member will normally be informed by the Monitoring Officer of the initial assessment decision within 10 working days of it being made. Should it be determined by the Monitoring Officer, in consultation with an Independent Person where appropriate, that the complaint should not proceed, then the complaint shall be dismissed. There is no right of appeal for the complainant(s) under these rules.

4. Decision of the Monitoring Officer

Should it be determined, having regard to the criteria referred to in section 3 above, that the complaint be accepted for further consideration, the Monitoring Officer shall, subject to consultation with an Independent Person, have delegated authority to decide to take one of the following actions:

- If there is clear evidence that there has been no breach of the Code of Conduct, the Monitoring Officer will write a No Breach Decision Notice explaining the reason for the decision which will be given to the complainant(s) and the Subject Member. The Parish or Town Clerk, if appropriate, will be informed that there is no breach.
- Where there has been a clear breach of the Code of Conduct the Monitoring Officer will write a report with a recommendation for a decision for a breach of the Code of Conduct, giving reasons for that recommended decision, and then refer the matter to a Members Standards Sub-Committee for a formal decision. The Councillor Standards Sub-Committee will conduct a local hearing following the procedure in Appendix E of this Part, and make a decision in accordance with paragraph 2.2.
- Where there has possibly been a breach of the Code of Conduct, the Monitoring Officer will require a formal investigation and a written investigation report by an Investigating Officer. An indicative timescale for the process should be given to the complainant(s) and the Subject Member. At least a monthly update report will be provided to all parties in an ongoing investigation. The investigation report shall conclude whether or not there has been a breach of the Code of Conduct and give clear reasons for that conclusion.

5. Finding on Investigation

5.1 No Breach of Code of Conduct

Where an investigation finds no evidence that the Subject Member has failed to comply with the Code of Conduct, the Monitoring Officer, in consultation with an Independent Person and the Chair of the Councillor Standards Panel, shall make a decision to take no further action. The Monitoring Officer will write a No Breach Decision Notice explaining the reason for the decision which will be given to the complainant(s) and the Subject Member. The Parish or Town Clerk, if appropriate, will be informed that there is no breach, but no further information will be supplied.

5.2 Breach of Code of Conduct

Where there is evidence that the Subject Member has failed to comply with the Code of Conduct, the Monitoring Officer, in consultation with an Independent Person and the Chair of the Councillor Standards Panel, shall refer the Investigating Officer's report to a Councillor Standards Sub-Committee. The Councillor Standards Sub-Committee will conduct a local hearing following the procedure Appendix E of this Part and make a decision in accordance with paragraph 2.2.

The Councillor Standards Sub Committee will usually hear a complaint within one calendar month of the date that the Monitoring Officer has referred the matter to the Sub Committee. The Subject Member and complainant(s) will be informed of the decision.

6. Appeals, Transparency and Confidentiality

6.1 Appeals

There is no right of appeal under the Code of Conduct and the decision of the Monitoring Officer, or the Councillor Standards Sub Committee will be final. However, Subject Members who have been found in breach of the Code of Conduct may make a statement about the complaint and the findings. This statement shall be published on the Council's website for the period stated in Transparency section below.

If the complainant(s) is unhappy with this decision, they may write to the Local Government and Social Care Ombudsman to complain if he or she believes that proper process has not been followed. The Ombudsman will not however have authority to change the decision itself.

6.2 Transparency

The decision of the Monitoring Officer or Councillor Standards Sub Committee will be sent to the Subject Member and the complainant(s). A decision that a Subject Member is in breach of the Code of Conduct will be published on the Council's website. The decision will be publicised for 12 months unless the Councillor Standards Sub-Committee consider an alternative time is appropriate.

Unless the Councillor Standards Sub-Committee determines otherwise, the decision notice, the Group Leader/ Chair's statement and the Subject Member's statement only will be published on the website.

6.3 Confidentiality

Subject to the requirements of Data Protection legislation, unless the Monitoring Officer or Councillor Standards Sub Committee decides otherwise or unless stated to the contrary in this Part, the complaint, all communications and correspondence, investigation reports, reports and decisions will remain confidential. Statements and investigations will be conducted with an expectation that such information will only be released to the parties involved under these arrangements.

The Members 'need to know' in relation to access to information shall only extend to the Subject Member, the complainant(s) (where such is a member) and members of the Councillor Standards Sub Committee.

Requests for information will be provided on the basis of the expectation of confidentiality by the parties and exemptions under the various statutory schemes. Where investigation reports have been prepared, only summary or the conclusions will be released.

Appendix E

1 Procedure for Councillor Standards Sub Committee

1.1 Appointment, Composition and Terms of Reference of the Councillor Standards Sub Committee

The Monitoring Officer is required to convene a Councillor Standards Sub Committee from the membership of the Councillor Standards Panel as necessary. The Councillor Standards Sub Committee will therefore not have a fixed membership.

The Councillor Standards Sub Committee shall comprise of two members of the Councillor Standards Panel, and one of the Council's Independent Persons as Chair. The Chair will not be the Independent Person who was consulted by the Monitoring Officer through the process, as they attend the hearing in that capacity. If the complaint relates to a Town or Parish Councillor, then a co-opted Town or Parish Councillor may also be an additional member of the Councillor Standards Sub Committee but will not have voting rights.

1.2 Pre Hearing Process

The date of the hearing will be arranged by the Monitoring Officer in consultation with the members of the Councillor Standards Sub Committee.

Once the date for the Councillor Standards Sub Committee has been arranged the Subject Member will be notified and asked if they:

- a) wish to attend the hearing;
- b) wish to be accompanied or represented at the hearing by any other person;
- c) wish to submit any written evidence or documentation to be considered by the Sub Committee. This must be sent no later than 3 working days prior to the hearing and will be passed to the complainant(s) and the Investigating Officer for any comment. Additional evidence or documentation not submitted by this deadline may not be accepted by the Sub Committee;
- d) wish to call relevant witnesses to give evidence at the hearing. The Chair of the Councillor Standards Sub Committee will have the final decision on how many witnesses may reasonably be needed.

The Councillor Standards Sub Committee and the Subject Member, and the Independent Person who was consulted by the Monitoring Officer through the process will each receive a report from the Monitoring Officer which will include a copy of the Investigating Officer's final report, on a strictly confidential basis.

The Councillor Standards Sub Committee will be held in private, and this will be confirmed at the hearing. The complainant(s) will not attend unless the Chair of the Councillor Standards Sub Committee agrees, or the Subject Member requests that they attend for the purposes of answering questions on the evidence provided.

1.3 Procedure for the Councillor Standards Sub Committee

The procedure for the Councillor Standards Sub Committee will be as follows:

- a) The Chair will confirm the names and status of those attending. If the Subject Member is not present at the start of the hearing, and they had indicated their intention to attend, the Chair shall ask the Monitoring Officer whether the Subject Member has provided any reasons why he or she would not be present. From the response the Councillor Standards Sub Committee will decide whether to make a determination in the absence of the Subject Member or adjourn the hearing to another date.
- b) If an Investigating Officer was used then the Investigating Officer, or in his/her absence the Monitoring Officer, shall present the Investigating Officer's report having particular regard to any points of difference identified by the Subject Member and why the Investigating Officer had concluded, on the basis of their findings of fact, that the Subject Member had failed to comply with the Code of Conduct. The Investigating Officer or Monitoring Officer may call witnesses as necessary in order to substantiate his/her findings.
- c) The Subject Member will then be given the opportunity to ask the Investigating Officer, or any of the witnesses, questions relating to the report or matters that have arisen during the witness statements.
- d) Members of the Councillor Standards Sub Committee, the Independent Person who was consulted by the Monitoring Officer through the process, and the Monitoring Officer will then have the opportunity of asking the Investigating Officer, or any of the witnesses, questions relating to the report or matters that have arisen in the witness statements.
- e) The Subject Member will then be invited to respond to the Investigating Officer's report and provide evidence, either by calling witnesses or by making representations to the Councillor Standards Sub Committee as to why they consider that they did not fail to comply with the Code of Conduct.
- f) The Investigating Officer will then be given the opportunity to ask the Subject Member and any witnesses, questions relating to the representations made to the Councillor Standards Sub Committee.
- g) Members of the Councillor Standards Sub Committee, the Independent Person who was consulted by the Monitoring Officer through the process, and the Monitoring Officer will then have the opportunity to ask the Subject Member, and any witnesses, questions relating to the representations made to the Councillor Standards Sub Committee.
- h) The Investigating Officer will then be given the opportunity to sum up.
- i) The Subject Member will then be given the opportunity to sum up

- j) The Independent Person who was consulted by the Monitoring Officer through the process will then be invited to comment and outline their view in respect of the complaint.
- k) The Chair will check with the other members of the Councillor Standards Sub Committee whether they are satisfied that they have sufficient evidence to come to a considered conclusion on the matter. If it is decided that additional evidence is required before a determination can be made, then the hearing will be adjourned and the Investigating Officer or Monitoring Officer will be asked either to seek and provide such additional evidence and/or undertake further investigation on any point specified by the Councillor Standards Sub Committee.
- l) If the Councillor Standards Sub Committee is satisfied that that they do have sufficient evidence to make a decision this will conclude the evidence gathering part of the hearing. The Investigating Officer, the Subject Member, the Independent Person who was consulted by the Monitoring Officer through the process, and any witnesses that might be present will be asked to leave at this point, but the clerk and Monitoring Officer to the Sub Committee will remain.
- m) The Councillor Standards Sub Committee will then determine the complaint on the balance of probabilities. If the Councillor Standards Sub Committee determine that there has been a failure to follow the Code they shall seek advice from the Monitoring Officer as to what action they believe should be taken against the Subject Member.

2 Findings of the Councillor Standards Sub Committee

2.1 No Finding of a Failure to follow the Code of Conduct

If the Councillor Standards Sub Committee determine that the Subject Member has not failed to follow the Code of Conduct then the complaint will be dismissed.

The Monitoring Officer shall prepare a decision notice in consultation with the Chair of the Councillor Standards Sub Committee stating the Councillor Standards Sub Committee's findings in relation to a non-failure to follow the Code of Conduct. The decision notice will be provided to the Subject Member, the Investigating Officer if relevant, the complainant(s) and the Independent Person who was consulted by the Monitoring Officer through the process for their information.

2.2 Finding of Failure to follow the Code of Conduct

If the Councillor Standards Sub Committee determines that the Subject Member has failed to follow the Code of Conduct then it can decide to take any or more of the following actions:

- a) Formally censure the Subject Member in writing for their failure to follow the Code of Conduct;

- b) Recommend to the Subject Member's Group Leader (or in the case of un-grouped Members, recommend to Council or any subcommittee(s) of Council) that the Subject Member be removed from any or all subcommittee(s) of the Council;
- c) Recommend to the Leader of Council that the Subject Member be removed from the Cabinet, or removed from particular portfolio responsibilities;
- d) Instruct the Monitoring Officer (or recommend that the relevant Town/Parish Council, as appropriate) to arrange training for the Subject Member;
- e) Remove (or recommend to the relevant Town/Parish Council that the Subject Member be removed) from all outside appointments to which he/she has been appointed or nominated by the authority (or by the Town/Parish Council);
- f) Withdraw (or recommend to the relevant Town/Parish Council that it withdraws) facilities provided to the Subject Member by the Council, such as a computer, website and/or e-mail and internet access;
- g) Exclude (or recommend that the relevant Town/Parish Council exclude) the Subject Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council or Panel meetings; or
- h) Report its findings to the Crown Prosecution Service in respect of a Subject Member that has been found to have committed an offence under s30 and/or s31 Localism Act 2011.

2.3 Publication of the Decision on Finding a Breach of the Code of Conduct

Within 5 working days of the decision, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Councillor Standards Sub Committee. A copy of the decision notice will be sent to the complainant(s), the Subject Member (and, if applicable, the relevant Town/Parish Council) and the Independent Person who was consulted by the Monitoring Officer through the process for their information.

A decision that a Subject Member is in breach of the Code of Conduct will be published on the Council's website for 12 months unless the Councillor Standards Sub-Committee consider an alternative time is appropriate.

The Subject Member has no right of appeal to the Council against a decision of the Monitoring Officer or the Councillor Standards Sub Committee.



SUNNINGDALE PARISH COUNCIL

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Additions have been highlighted in yellow

Code of Conduct

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you.

It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct.

The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication

- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect as a councillor:

- 1.1 I treat other councillors and members of the public with respect.
- 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor officer protocol.

2. Bullying, harassment and discrimination as a councillor:

- 2.1 I do not bully any person.
- 2.2 I do not harass any person.
- 2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

You must undertake training arranged by the Council on equality and diversity within two calendar months of your election and annually thereafter.

3. Impartiality of officers of the council as a councillor:

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information as a councillor:

- 4.1 I do not disclose information:
 - a. given to me in confidence by anyone
 - b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

- i. I have received the consent of a person authorised to give it;
- ii. I am required by law to do so;
- iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
- iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute as a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community, and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position as a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities as a councillor

- 7.1 I do not misuse council resources.
- 7.2 I will, when using the resources of the local or authorising their use by others:
- a) act in accordance with the local authority's requirements; and
 - b) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- 7.3.1 office support
- 7.3.2 stationery
- 7.3.2 equipment such as phones, and computers
- 7.3.4 transport
- 7.4.5 access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct as a Councillor:

- 8.1 I undertake Code of Conduct training provided by my local authority.
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests as a councillor:

- 9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in [Table 1](#), is a criminal offence under the Localism Act 2011.

[Appendix B sets](#) out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality as a Councillor

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.
- 10.4 **I register with the Monitoring Officer any multiple or recurring gift or hospitality (with an individual value of less than £25 but a combined total of £50 over a three-month period) received from an individual or group, within 28 days of its receipt.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Declaration as a council member of Sunningdale Parish Council

I, _____ declare that I will abide by the standards of councillor conduct as set out in this code and honour my obligations, which are the minimum standards of conduct required of me as a councillor.

I confirm my understanding that, should my conduct fall short of these standards, a complaint may be made against me, which may result in action being taken.

I confirm that as detailed in section 8.4, I will comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

Signed:

Dated:

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in [Table 1 \(Disclosable Pecuniary Interests\)](#) which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

“Disclosable Pecuniary Interest” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Nonparticipation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in [Table 1](#), you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest.
 - a. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests (as set out in [Table 2](#)), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which affects –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative, close associate; or
- c. a body included in those you need to disclose under Other Registrable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter affects your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director ¹ or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided, or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

¹ director includes a member of the committee of management of an industrial and provident society.

Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities of.</p>
Securities	<p>Any beneficial interest in securities² of a body where:</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either:</p> <p>(i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

² securities means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

Replace with this paragraph (inline with RBWM Code of conduct)

You must register as an Other Registerable Interest:

a) any unpaid directorships

b) anybody of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) anybody:

(i) exercising functions of a public nature

(ii) directed to charitable purposes or

(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

You have a personal interest in any business of your authority where it relates to or is likely to affect:

a) anybody of which you are in general control or management and to which you are nominated or appointed by your authority

b) any body

I. exercising functions of a public nature

II. anybody directed to charitable purposes or

III. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

Appendix D – Arrangements for dealing with breaches of the Code of Conduct

Complaints in respect of this Code of Conduct are made via the Council's Complaints Team.

1) 1. Receipt and Acknowledgment of the Complaint

The Complaints Team will deal with general enquiries relating to Code of Conduct complaints. Complainants will be asked to fill out the online form and will be directed to the Council's website to fill out the online form. Complainants with a disability who are unable to fill out the form may be provided with assistance in filling out the form where necessary or alternative arrangements may be made. The Complaints Team will acknowledge a Code of Conduct complaint within 5 working days and an initial response seeking further clarification or information (where required) will be sent within 10 working days after that. The onus is on the Complainant to ensure that all relevant information is given. The Complainant will be told that full details of their complaint will be given to the Councillor concerned ("the Subject Member").

Anonymous complaints will not be considered unless accompanied by documentary or photographic evidence, evidencing an exceptionally serious or significant matter.

If the Subject Member is a Parish or Town Councillor, the clerk will be informed of the complaint on a confidential basis.

2) 2. Response of the Subject Member

The Subject Member will be contacted by the Complaints Team and within 5 working days of having received all of the required information from the Complainant they will be asked to supply written

comments within 10 working days from the complaint being received or such longer time at the discretion of the Monitoring Officer. A Subject Member will be informed that he or she is entitled under the Localism Act 2011 to seek support from one of the Council's Independent Persons.

3) **3. Initial Assessment of the complaint by the Monitoring Officer**

Once a response has been received from the Subject Member, or when a reasonable time has passed and no responses has been received, the Monitoring Officer will carry out an initial assessment of the complaint. The purpose of the initial assessment by the Monitoring Officer is to determine whether the complaint should be accepted for further consideration or rejected. In determining whether a complaint should proceed the Monitoring Officer may apply the following criteria:

Acting as a Member: Was the Subject Member acting as a Member at the time of the allegation?

Seriousness of the complaint – is the complaint trivial, vexatious, malicious, politically motivated, or 'tit for tat'? Would the resources/cost involved in investigating and determining the complaint be disproportionate to the allegation if proven? Where complaints are raised by Members alleging a lack of respect or courtesy by the Subject Member then the Monitoring Officer may reject the complaint – please refer to "Guidance on Local Government Association Model Code of Conduct" published by the LGA on 8 July 2021.

Duplication – Is the complaint substantially similar to a previous allegation or is it subject of an existing investigation? If there is a current complaint about the same matter then a repeat allegation will be rejected unless the complainant is directly harmed by the allegation or they can provide new evidence.

Length of time – Did the events or behaviour to which the complaint relates take place more than six months prior to receipt of the complaint. Does the time lapse mean that those involved are unlikely to remember matters clearly, or does the lapse of time mean that there would be little benefit in taking action.

Public Interest – In all cases, is the public interest served in referring the complaint further. Has the Subject Member offered an apology or other remedial action which is satisfactory to the Monitoring Officer, taking into account the circumstances of the complaint?

The complainant(s) and the Subject Member will normally be informed by the Monitoring Officer of the initial assessment decision within 10 working days of it being made. Should it be determined by the Monitoring Officer, in consultation with an Independent Person where appropriate, that the complaint should not proceed, then the complaint shall be dismissed. There is no right of appeal for the complainant(s) under these rules.

4. Decision of the Monitoring Officer

Should it be determined, having regard to the criteria referred to in section 3 above, that the complaint be accepted for further consideration, the Monitoring Officer shall, subject to consultation with an Independent Person, have delegated authority to decide to take one of the following actions:

If there is clear evidence that there has been no breach of the Code of Conduct, the Monitoring Officer will write a No Breach Decision Notice explaining the reason for the decision which will be given to the complainant(s) and the Subject Member. The Parish or Town Clerk, if appropriate, will be informed that there is no breach.

Where there has been a clear breach of the Code of Conduct the Monitoring Officer will write a report with a recommendation for a decision for a breach of the Code of Conduct, giving reasons for that recommended decision, and then refer the matter to a Members Standards Sub-Committee for a formal decision. The Councillor Standards Sub-Committee will conduct a local hearing following the procedure in Appendix E of this Part, and make a decision in accordance with paragraph 2.2.

Where there has possibly been a breach of the Code of Conduct, the Monitoring Officer will require a formal investigation and a written investigation report by an Investigating Officer. An indicative timescale for the process should be given to the complainant(s) and the Subject Member. At least a monthly update report will be provided to all parties in an ongoing investigation. The investigation report shall conclude whether or not there has been a breach of the Code of Conduct and give clear reasons for that conclusion.

Finding on Investigation

5.1 No Breach of Code of Conduct

Where an investigation finds no evidence that the Subject Member has failed to comply with the Code of Conduct, the Monitoring Officer, in consultation with an Independent Person and the Chair of the Councillor Standards Panel, shall make a decision to take no further action. The Monitoring Officer will write a No Breach Decision Notice explaining the reason for the decision which will be given to the complainant(s) and the Subject Member. The Parish or Town Clerk, if appropriate, will be informed that there is no breach, but no further information will be supplied.

5.2 Breach of Code of Conduct

Where there is evidence that the Subject Member has failed to comply with the Code of Conduct, the Monitoring Officer, in consultation with an Independent Person and the Chair of the Councillor Standards Panel, shall refer the Investigating Officer's report to a Councillor Standards Sub-Committee. The Councillor Standards Sub-Committee will conduct a local hearing following the procedure Appendix E of this Part and make a decision in accordance with paragraph 2.2.

The Councillor Standards Sub Committee will usually hear a complaint within one calendar month of the date that the Monitoring Officer has referred the matter to the Sub Committee. The Subject Member and complainant(s) will be informed of the decision.

6. Appeals, Transparency and Confidentiality

6.1 Appeals

There is no right of appeal under the Code of Conduct and the decision of the Monitoring Officer, or the Councillor Standards Sub Committee will be final. However, Subject Members who have been found in breach of the Code of Conduct may make a statement about the complaint and the findings. This statement shall be published on the Council's website for the period stated in Transparency section below.

If the complainant(s) is unhappy with this decision, they may write to the Local Government and Social Care Ombudsman to complain if he or she believes that proper process has not been followed. The Ombudsman will not however have authority to change the decision itself.

6.2 Transparency

The decision of the Monitoring Officer or Councillor Standards Sub Committee will be sent to the Subject Member and the complainant(s). A decision that a Subject Member is in breach of the Code of Conduct will be

published on the Council's website. The decision will be publicised for 12 months unless the Councillor Standards Sub-Committee consider an alternative time is appropriate.

Unless the Councillor Standards Sub-Committee determines otherwise, the decision notice, the Group Leader/Chair's statement and the Subject Member's statement only will be published on the website.

6.3 Confidentiality

Subject to the requirements of Data Protection legislation, unless the Monitoring Officer or Councillor Standards Sub Committee decides otherwise or unless stated to the contrary in this Part, the complaint, all communications and correspondence, investigation reports, reports and decisions will remain confidential. Statements and investigations will be conducted with an expectation that such information will only be released to the parties involved under these arrangements.

The Members 'need to know' in relation to access to information shall only extend to the Subject Member, the complainant(s) (where such is a member) and members of the Councillor Standards Sub Committee.

Requests for information will be provided on the basis of the expectation of confidentiality by the parties and exemptions under the various statutory schemes. Where investigation reports have been prepared, only summary or the conclusions will be released.

Both sections will be formatted if agreed to be included in the updated version.

Appendix E – Procedure for Councillor Standards Sub Committee

Will include the details as outlined in the RBWM Code of Conduct.

Will also include details about sanctions

Both sections will be formatted if agreed to be included in the updated version.

Best Practice Recommendations

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies.

Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.



SUNNINGDALE PARISH COUNCIL

Employee Handbook

Welcome and introduction

Welcome to Sunningdale Parish Council. Our strength as a Council is due to the skills and abilities of our Officers and wider team. 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 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, from time to time, alter or amend any policy or procedure contained in this handbook to ensure that it remains relevant, in compliance with legislation and consistent with the needs of the council. Any such change will be notified to all employees.

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

We 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 Officer Code of Conduct

The behaviour of employees is central to the continued success of the Council. This handbook sets out several 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 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 Council 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.

1.2 Health and Safety (associated policy Appendix “ ”)

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.

Please ensure you read and regularly review the Council Health and Safety policy and take note of the Health and Safety notices displayed around the Council premises and places of work.

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 be thoroughly investigated.

Employees who undertake work alone or without immediate supervision must follow the Council's Lone Worker Policy, which sets out the procedures and safeguards in place to ensure their safety. All lone working arrangements must be agreed with the Parish Clerk.

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. 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 its activities and expects the conduct of individual employees to reflect this. Dishonesty of any kind will be treated as a serious matter, which may amount to gross misconduct and therefore to dismissal without notice.

Gifts and Hospitality

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

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

No personal gifts of a value in excess of £25 should be accepted from a client/customer, supplier or potential supplier without express permission from the Parish 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/council decisions that you may make on behalf of the Council or to otherwise influence the way in which you perform your duties is an act of gross misconduct which 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 an advantage on you or the Council through the giving of any gift or hospitality.

1.4 Whistleblowing (Policy – Appendix “ “)

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

This policy applies where you reasonably believe that one of the following sets of circumstances is occurring, has occurred, or may occur within the Company and that your disclosure is in the public interest:

- a criminal offence has been committed, is being committed or is likely to be committed;
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject;

- a miscarriage of justice has occurred, is occurring or is likely to occur;
- the health and safety of any individual has been, is being or is likely to be endangered;
- sexual harassment has occurred, is occurring or is likely to occur;
- the environment has been, is being or is likely to be damaged;
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Commented [CP1]: Added

It is not necessary that you prove the breach or failure that you are alleging has occurred or is likely to occur, you may simply raise a reasonable suspicion. However, you should note that you will not be protected from the consequences of making such a disclosure if, by doing so, you commit a criminal offence.

Any initial concern should be raised with the Parish 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.

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 council. Making a deliberately false allegation, however, against the Council, a fellow employee or any other person will be treated as an act of gross misconduct which 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 residents, customers, and fellow employees.

1.6 Data Protection (Data Protection Policy)

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.

For further information regarding data management, retention and backups, refer to the IT Policy (March 2026)

1.7 Environmental Statement

In the undertaking of their daily duties, we accept that all staff associated with 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 the employee meets residents or suppliers and whether the requirements of health and safety requires particular clothing. How you dress is largely a matter of common sense. 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.

Personal Protective Equipment

If you are provided with any Personal Protective Equipment (PPE) you must ensure you always wear this, especially in any designated area which 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 time keeping. This having been said, any employee who is seen to abuse this goodwill, will have this addressed by their manager, and if potentially noted in the annual appraisal process. Persistent abuse of this goodwill will likely result in disciplinary action.

Where you are going to be late for work you must contact the Parish clerk as soon as possible to explain the situation and give an estimate of your arrival time. It is acceptable to communicate this via messages, however the responsibility for notification remains with you. Non-delivery of a message is not an acceptable reason for failure to inform.

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

Where employees are required to work additional hours beyond their normal working pattern, any entitlement to time off in lieu (TOIL) must be agreed in advance with the Parish Clerk and will be managed in accordance with the Council's TOIL Policy.

2.4 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 into the workplace. In these circumstances we are prepared to take a flexible approach to working arrangements while keeping the council 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 taking 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 in to 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 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 are able to 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.

2.5 Rest Breaks

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

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

Different areas of the council 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 council 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.

2.6 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.

2.7 Computer Use- Including the use of email/Internet

Where personal devices are used for Council business, they must comply with IT security requirements including strong passwords, up-to-date software and antivirus protection.

Business Continuity and Access to Accounts

In order to ensure business continuity, the Council may implement secure arrangements to allow authorised access to work-related accounts and systems in exceptional circumstances. Employees must not share passwords informally, but must comply with any approved secure processes for account access and recovery.

Cybersecurity Training and Awareness

Employees are required to undertake any IT and cybersecurity training provided by the Council and to follow best practice guidance in relation to information security, data protection and email use.

Wi-Fi and Network Security

Employees must take care when connecting to the internet for Council business. Public or unsecured Wi-Fi networks (such as those in cafés or on public transport) should be avoided unless appropriate safeguards are in place. Wherever possible, a secure and trusted network connection must be used.

The Council has a duty 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 Parish 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 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.

The Council will endeavour to provide all employees with an official email account for Council business. Where an official account is provided, it must be used for all work-related communications wherever practicable. Employees currently using personal email accounts for Council business should transition to an official account as soon as reasonably possible.

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. You must not send content of a sexual, racist, or discriminatory nature, junk mail, chain letters, cartoons or jokes from any email address associated with work.

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

Reporting IT and Data Security Incidents

Any suspected IT or data security incident, including possible data breaches, phishing attempts, or unauthorised access, must be reported immediately to the Parish Clerk. Prompt reporting is essential to protect Council systems, data and legal compliance.

Privacy

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

Your email remains the property of the Council and therefore you should not use your Council email to send or receive any information that you regard as private. The Council may, 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.

2.8 Social Media

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

Inappropriate or disparaging comments about the Council, colleagues or clients will be treated as misconduct. Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, the Council will take a particularly serious view of any misconduct that occurs through the use of social media.

You must not operate a social media account or profile that purports to be operated on or on behalf of the Council without express permission to do so from your manager.

You should not attempt to access personal social networking sites, such as Facebook/Twitter or similar on Council IT and communication systems and only access social media sites if required to do so within your day to day role. This includes during break times.

2.9 Telephones

Reasonable personal use of Council telephones is permitted. However, calls should be kept short and no calls should be made to premium rate numbers or abroad.

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

2.10 Alcohol and Drugs

The Council's approach to the consumption of alcohol, drugs, and other substances (including new psychoactive substances) that have intoxicating and/or behaviour-altering effects or impair judgement (referred to in this 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.

Employees must not consume alcohol during working hours, including during breaks, unless this has been explicitly authorised by management for a specific work-related event. This requirement applies to all employees at all times whilst on duty.

Employees must not report for work or remain at work under the influence of alcohol. Any breach of this rule will be treated as a serious disciplinary matter and may constitute gross misconduct.

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 Parish 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.

2.11 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. The Council may require you at any time/annually 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 the Parish clerk and appropriate arrangements will be made to ensure that any work-related journey can be completed safely.

2.12 Expenses (policy)

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

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

2.13 Council Property

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

Damage to Council Property

Any damage to or loss of Council property must be immediately reported to your 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 immediate Manager, who will retain the items for three weeks. The property will either be handed over to the police or disposed of accordingly.

2.14 General

Statements to the Media

Any statements to reporters from newspapers, radio, television etc. in relation to the council will be given only by Management.

Parking

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

3 ABSENCES

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 proper excuse or in breach of management instructions will be committing gross misconduct which could result in dismissal without notice or payment in lieu.

3.2 Medical Appointments

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

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

Employees who have a medical condition which will require regular appointments during the working day should discuss their situation with 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 ante-natal appointments provided that attendance is based on medical advice. For second and subsequent appointments you may be required to produce an appointment card or similar evidence of the date and time of the appointment.

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

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

Adoption Appointments

Employees who are adopting on their own or have elected to be the primary adopter 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 (reporting forms)

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 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 off set 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 the Parish Clerk of this fact as soon as possible and in any event by no later than midday on the first day of your absence. 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).

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. The purpose of the meeting is to check on the employee's general health and wellbeing, to catch up with regards to 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 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 council and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way then 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:

- During 1st year of service: 1 month's full pay, which after having completed 4 months continuous service, also increases by 2 months' half pay;
 - During 2nd year of continuous service: 2 months' full pay and 2 months' half pay;
 - During 3rd year of continuous service, 4 months' full pay and 4 months' half pay;
 - During 4th and 5th years of continuous service, 5 months' full pay and 5 months' half pay;
- and
- After 5 years' continuous service, an employee would be entitled to 6 months' full pay and 6 months' half pay.

NB: 'Full Pay' period = Sick Pay shall include SSP and any Incapacity Benefit

'Half Pay' period = Half pay plus SSP and Incapacity Benefit, so long as this total does not exceed an employee's normal pay.

Statutory Sick Pay

Statutory Sick Pay (SSP) will be paid when you are absent from work due to sickness, provided that you have complied with the requirements and conditions attached to its payment.

Commented [CP2]: Added.

When SSP is Payable

Payment of SSP starts from your first full day of sickness and continues for as long as you are absent provided your eligibility remains in place, up to a maximum of 28 weeks in any one period of sickness. SSP will be paid from the first full day of absence where the periods are linked.

Commented [CP3]: Removed reference to Lower earnings limit

Commented [CP4]: Removed reference to 3 waiting days

SSP is paid at the rate currently applicable, via the same method as normal earnings.

The qualifying days for Statutory Sick Pay purposes are your normal working days.

When SSP is not Payable

SSP is not payable in certain circumstances, the principal ones being:

if you have failed to follow the sickness notification procedure;

if your employment has terminated;

where other statutory payments are being paid to you, for example, statutory maternity or paternity pay;

for days on which you do not normally work, for example if you work Monday to Friday and not at weekends, SSP will normally apply to those 5 days only.

The rules on SSP are very complex and you should not hesitate to raise any query you may have with the Company.

3.5 Jury Service/Other Time Off

You are entitled to time off work to fulfil your obligations with regard to jury service. In the event of you being summoned to attend for jury service, you must notify management immediately on receipt of the jury summons, giving details of the dates you are required to attend court.

You may be requested to apply to the court for your jury service to be either postponed or delayed if it is considered that your absence will cause substantial injury to the council. A failure or refusal to make such an application when requested may lead to action being taken under the Disciplinary Procedure, which may include dismissal.

If you are retained on jury service for a prolonged period you have an obligation to notify the Council and must keep in regular contact throughout this time. You must return to normal working immediately following your release from jury duties.

You are reminded to ensure that an expenses claim is submitted to the court in accordance with the available allowances for travelling, subsistence, and your financial loss.

You must give the Council a Certificate of Loss of Earnings which we will complete and return to you, unless you are on a period of unpaid leave during your time on jury service.

Although you are not entitled to payment for this time off, the Council will consider requests to make up any difference between the financial loss allowance and basic earnings, provided that the maximum amount has been claimed from the court.

3.6 Compassionate/Bereavement Leave

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

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

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

3.7 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, on or after 6 April 2020.

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

Notification

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

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

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

Parental Bereavement Pay

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

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

Other leave entitlements

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

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

Commented [CP5]: The 'other' statutory entitlements generally refer to the parental ones.

Shared Parental Leave / Parental Bereavement Leave / Bereaved Partners Paternity Leave

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 Parish 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 council. However, the Council will be sympathetic to your need for time off (which may be paid or unpaid at our discretion) to deal with the situation and make any arrangements that may be necessary.

3.9 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 the Parish clerk. You should not make firm travel plans or commitments until a request for leave has been granted and the Council will not take such plans into account when dealing with conflicting holiday requests.

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

What notice do I need to give?

All requests for leave should be made at least one week 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 council. 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 council, 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.

Employees who leave their employment during 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 times depending on the needs of the council 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.

Holiday entitlement will continue to accrue during periods of Maternity, Adoption, Paternity, Shared Parental, Parental Bereavement leave, Parental leave and Bereaved Partner's Paternity leave.

Commented [CP6]: Added in- new statutory entitlement

3.10 Reserve Forces

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

4 FLEXIBLE WORKING AND FAMILY RELATED LEAVE

4.1 Flexible working

Introduction

The Council believes that its staff members are its most valuable asset and is committed to attracting and retaining the very best workforce, and utilising all the talent and experience available within the community. We also appreciate that the workforce is becoming increasingly diverse and includes a high percentage of those with caring responsibilities, as well as those whose interests and aspirations impact on their time. We therefore appreciate that standard or established working hours are, in many cases, incompatible with increasing demand for a better work-life balance.

The Council recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements. In turn it recognises that staffing levels must at all times remain in line with the demands of the council.

Out of Hours Working

Employees are not expected to work outside their normal working hours unless this is required by their role or agreed in advance. Any out-of-hours working arrangements, including availability and response to urgent matters, will be agreed with the Parish Clerk and managed in accordance with Council policy.

This policy aims to set out the ways in which flexible working can increase staff motivation, build better relationships between the Council and its employees, increase the rate of retention of staff, reduce absence, attract new talent, promote work-life balance and reduce employee stress, and in doing so improve the Council's efficiency, productivity and competitiveness. It provides a description of the issues involved, taking into account the possible benefits of each kind of flexible working to both employees and the Council, but also raising possible drawbacks and areas of potential concern.

This policy applies to flexible working requests received by the Council on or after 6 April 2024. Requests received before that date which have not reached conclusion will continue to be considered under our previous policy.

The policy considers the following options as types of flexible working but we recognise that there may be alternatives, and that the working pattern that may suit any particular individual could be a unique one involving a combination of options:

- job-sharing;
- part-time working;
- annualised hours;
- compressed hours;
- flexitime;
- term-time working;
- swapping hours;
- working from home;
- career breaks;
- flexible shift working.

The council Need

Although the Council is committed to providing the widest possible range of working patterns for its workforce, both management and employees need to be realistic and to recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the council.

Where an instance of flexible working is requested, we will take into account a number of criteria including (but not limited to):

- the cost of the proposed arrangement;
- the effect of the proposed arrangement on our service delivery;
- the level of supervision that the post-holder requires;
- the structure of the department and staff resources;
- other issues specific to the individual's department;
- an analysis of the tasks specific to the role, including their frequency and duration;
- an analysis of the workload of the role.

Eligibility

Although we recognise that not all of the flexible working patterns considered will be suitable for all sections of the Council's workforce, there should be no arbitrary barriers. Employees in all areas and levels of the Council will be considered for flexible working regardless of their age, sex, sexual orientation, race, religion or belief, pregnancy, marital/civil partnership status, gender reassignment or disability. However, there is no automatic right for employees to change to any of the flexible working patterns. Each application will be considered on its own merits save for where it is made as a reasonable adjustment under disability legislation in which case it will be considered under the rules applying to our duty under those laws.

Right To Request Flexible Working

You are entitled to make a statutory request for flexible working from the first day of your employment. You can make a maximum of two statutory flexible working requests during any 12-month period. A request cannot be made until any previous request has been concluded in full.

While it is the Council's policy to be flexible on working patterns for all its employees, in order to ensure that we are complying with our legal obligations concerning the right to request flexible working, there may be situations where precedence has to be given to those who are eligible for this right.

The Application

You can get an application form to complete from Management in order to make a request.

For clarity, the application you submit must:

- be made in writing and state that it is such an application;
- state whether you have made a previous application under this procedure and, if so, when;
- specify the change applied for and the date on which it is proposed the change should take effect; and
- be dated.

The application must also state whether you are requesting the variation as a reasonable adjustment under the disability discrimination provisions of the Equality Act 2010.

Procedure For Dealing with An Application

Consultation on your Application

The Council will consult with you as part of a discussion following receipt of the application, unless we notify you in writing of agreement to the variation. The time and place of the discussion will be convenient to both of us. The consultation will include exploration of alternative arrangements that may be acceptable to you if we are unable to agree to the exact variation requested.

Notice of Decision

Once a decision has been made by the Council, we will notify you of the outcome. Where our decision is to agree to the application, the notice will specify the contract variation agreed to and state the date on which the variation is to take effect. Where the decision is to refuse the application, the notice will state which of the specified grounds for refusal are considered to apply, with an explanation of why those grounds apply in relation to the application and set out the appeal procedure.

Right of Appeal

You may appeal against the Council's decision to refuse an application. The notice of appeal must be in writing, setting out the grounds for appeal and be dated.

We will discuss the appeal with you once the grounds for appeal are received, unless we give you written notification that the original decision has been overturned and specifies the variation which has now been agreed and the date on which it will take effect. If an appeal meeting is held, the time and place will be convenient to both of us.

After the appeal meeting has been held, we will give you written, dated, notice of the decision on the appeal. Where we uphold the appeal, the notice will specify the contract variation agreed to and state the date on which it is to take effect. Where our decision to reject the application remains, the notice will state the grounds for the decision and contain a sufficient explanation as to why those grounds apply.

Acceptance of Variation

Where we accept your application, it will mean a permanent variation of your contract, unless we agree otherwise. This means that once a change has been made, there is no right for you to revert back to your previous terms and conditions. Further requests will count towards the maximum amount permitted in any 12 month period.

Timescale

We will deal with and conclude your application for flexible working within two months of the date of the application, unless we both agree on an extension in which case we will confirm this in writing.

Accompaniment

At any meetings held to discuss the application, including any appeal meetings, you can be accompanied by a colleague of your choice.

Conflicting requests

Where conflicting requests for flexible working are received from employees, the Council may require a compromise to be found so that all requests may be accommodated albeit on different terms as those set out in each request. If no compromise is achievable after consultation with the employees involved, the Council may use a random selection method to determine the granting of individual requests.

Withdrawal Of Application By Employee

The Council will treat an application as withdrawn under the statutory provisions where you:

- notify us, orally or in writing, that you are withdrawing the application; or
- without reasonable cause, fail to attend a meeting to discuss your application or appeal meeting more than once.

The Council will confirm the withdrawal of the application to you in writing unless you have already provided written notice of the withdrawal.

Employee Consultation/Participation

While some approaches to flexible working practices will involve changes to individual contracts of employment and be relatively easy to implement, the Council recognises that others such as flexitime or the imposition of annualised hours will have a greater impact on sections of the workforce as a whole. Before any such working pattern is implemented it is therefore committed to in-depth consultation with employees and their representatives and recognises that gaining their agreement is likely to have a positive impact on the success of the scheme. The Council works on the basis that consultation gives all parties the opportunity to raise the issues that are of greatest importance to them and ensures that they are considered from all angles.

Consultation will usually take the form of an employee survey followed by focus groups and a pilot scheme of the new working pattern. The findings of any consultation will be communicated to the workforce, along with any proposed action resulting from the consultation.

4.2 Maternity Leave

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

Notification

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

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

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

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 reasonably practicable.

Duration of Maternity Leave

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

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

Keeping in Touch Days

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

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

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

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

Dismissal or Resignation

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

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

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

Enhanced Maternity Pay

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

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

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

Statutory Maternity Pay (SMP) is paid to employees who have at least 26 weeks' service immediately before the 15th week before the expected week of childbirth and whose pay is above the Lower Earnings Limit for paying National Insurance Contributions (this changes each year). Employees who earn below that amount may be entitled to a state

benefit called Maternity Allowance. The Council will provide you with an appropriate form to help you claim this, where appropriate.

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

SMP is paid for a maximum total of 39 weeks. The first 6 weeks are paid at 90 per cent of your normal weekly earnings (this is based on an average of your total earnings in the eight weeks immediately preceding the 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 5.2 of this handbook.

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

Maternity Suspension (Health and Safety Reasons)

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

Maternity Support Leave

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

Miscarriage

In the event that an employee suffers a miscarriage before 24 weeks of pregnancy, there will no longer be a right to take maternity leave. It may be that an employee needs some time off work in these circumstances and this will usually be taken as sick leave, during which the organisation's sickness absence policy will apply.

If the employee suffers a stillbirth after 24 weeks of pregnancy, entitlement to maternity leave and pay will not be affected and the employee will still be able to take the time off, and receive pay, as planned. Parental bereavement leave is also available for employees who suffer a stillbirth after 24 weeks of pregnancy. More information on this entitlement is available in our separate policy on Parental Bereavement Leave.

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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 like those for SMP (set out above).

Enhanced Adoption Pay

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

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

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

Returning to Work Following Adoption Leave

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

4.4 Paternity Leave

Introduction

If your partner becomes pregnant or you are jointly adopting a child with another person and have designated yourself as the secondary adopter, you may be entitled to take time off work for various reasons, and this policy explains what your rights are.

Ante-Natal/Adoption Appointments

You have the right to take time off to accompany your partner to ante-natal appointments or adoption appointments. This applies from the start of your employment.

In relation to a birth, you must be the father of the child; or the husband, civil partner or partner of the mother. An ante-natal appointment is one which has been made on the advice of a registered medical practitioner, nurse or midwife.

In relation to an adoption, you must be adopting the child jointly with another person. If you are a sole adopter, you may have separate rights to time off for appointments.

Under this right, you are entitled to take time off to attend a maximum of 2 ante-natal/adoption appointments, to a maximum of 6.5 hours per appointment. This time is unpaid.

You will need to provide a declaration relating to your eligibility and, amongst other things, state the date and time of the appointment. We have a form you can use for this which is available from Management.

The right applies whether the baby was conceived naturally or via donor insemination.

Eligibility For Paternity Leave

You must be the father of the child, or be married to, or the civil partner or "partner" of, the child's mother or adopter. "Partner" in relation to a child's mother or adopter means a person, whether of a different sex or the same sex, who lives with the mother, or adopter, and the child in an enduring family relationship but is not a relative of the mother or adopter (a relative is defined as a parent, grandparent, sister, brother, aunt or uncle).

You must have, or expect to have, responsibility for the upbringing of the child.

Only one period of leave is available even if more than one child is born as a result of the same pregnancy or adopted as part of the same arrangement.

Commencement And Duration Of Leave

Leave may only be taken during the period beginning with the date of the child's birth or placement and ending 52 weeks after that date or, in a case where the child is born before the first day of the expected week of birth, 52 weeks after that day.

Subject to the above, you can choose to begin your leave:

- on the date on which the child is born/placed with the adopter;
- from a specified chosen number of days after the date of the child's birth/placement (whether this is earlier or later than expected); or
- from a specified predetermined date which is later than the first day of the expected week of the child's birth/expected date of placement.

Leave can start on any day of the week and you can choose to take:

- one week of leave
- two consecutive weeks of leave or
- two non-consecutive single weeks of leave.

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PAY STILL FROM 26 WEEKS

During paternity leave you are entitled to the benefit of your normal terms and conditions of employment, except wages or salary, and you are bound by any obligations arising under those terms and conditions except in so far as they are inconsistent with the right to paternity leave.

Where possible, you should book and take your annual leave entitlement in the current holiday year. However, if you are unable to take all of your statutory minimum entitlement to annual leave because you were on paternity leave, you are entitled to carry over untaken annual leave into the following leave year.

Notification Requirements

Birth - Notice of entitlement

First, you must give us notice of your entitlement to take paternity leave in or before the 15th week before the expected week of the child's birth.

The notice must specify the expected week of birth and must include a signed declaration that:

- you are either the father of the child or married to or the partner of the child's mother, but not the child's father;
- if you are the father, that you have or expect to have responsibility for the upbringing of the child; and
- if you are the mother's husband or partner but not the child's father, the main responsibility (apart from any responsibility of the mother) for the upbringing of the child.

Birth - Notice of leave

Then, once you have chosen the dates of each occasion of your paternity leave, you are required to give us a further notice, in writing, of:

- when you want your leave to start and
- the length of leave you want to take.

You must also give us a signed declaration that you are taking leave for the purpose of caring for a child or supporting the child's mother.

A form that you can use for this notification is available from Management.

If you want to take leave starting on the date of birth, you need to give us the notice of leave at least 28 days before the first day of the expected week of the child's birth.

If you want to start your leave a number of days after the birth rather than giving an actual date, you need to give us the notice of leave at least 28 days before the day that falls that number of days after the first day of the expected week of birth. For example, if you want to start paternity leave 4 days after the birth of the child, you need to give us the notice of leave 28 days before the 4th day after the first day of the expected week of childbirth.

If you want your leave to start on a predetermined date after the first day of the expected week of the child's birth, you need to give us the notice of leave at least 28 days before that predetermined date.

Where it is not reasonably practicable for you to give notice as set out below, it should be given as soon as is reasonably practicable.

Adoption - Notice of entitlement

First, you must give us notice of your entitlement to take paternity leave no more than seven days after the date on which you were notified of having been matched with a child.

The notice must specify:

- the date on which you were notified of having been matched with the child,
- the date on which the child is expected to be placed with you or, where the child has already been placed for adoption, the date of placement.

You must also give us a signed declaration that:

- you are either married to or the partner of the child’s adopter; and
- you have, or expect to have, the main responsibility (apart from the responsibility of the adopter) for the upbringing of the child.

Adoption - Notice of leave

Once you have chosen the dates of each occasion of your paternity leave, you are required to give us a further notice, in writing, no more than seven days after the date on which you were notified of having been matched with a child of:

- when you want your leave to start and
- the length of leave you want to take.

You must also give us a signed declaration that you are taking leave for the purpose of caring for a child or supporting the child’s adopter.

Forms that you can use for the various notification requirements are available from Management.

Changing your mind about dates of leave – birth and adoption

You may change your mind about the date on which you want your leave to start or end, or cancel the period of leave chosen, providing you notify us in writing. The notice must be given by whichever is the earlier of at least 28 days before the original date of leave or the new date of leave, unless this is not reasonably practicable. If you give us notice to vary a period of paternity leave, you must also give us a signed declaration as to the purpose of the absence.

Required changes to dates of leave – birth and adoption

If you have chosen to start a period of paternity leave on a particular predetermined date, and the child has not been born/is not placed with the adopter on or before that date, you must change the date you want paternity leave to start and give us notice of the new date. This notice must contain a signed declaration as to the purpose of the absence.

Telling us the date of birth/placement

You must give us a further notice, in writing, as soon as is reasonably practicable after the child's birth or placement for adoption, of the date on which the child was born or placed, if the date of placement was not provided in the notice of intention to take paternity leave.

Paternity Pay

You may be entitled to Statutory Paternity Pay (SPP) if you meet the eligibility criteria.

Eligibility

You will qualify for SPP if you meet the following criteria:

- you have been continuously employed with us for at least 26 weeks’ continuing into the 15th week before the week the baby is due/the week in which you were notified of having been matched with a child and remain employed by us at the date of birth/placement.
- your average weekly earnings are not less than the lower earnings limit relevant for National Insurance purposes.
- you have the prescribed relationship with the child and the mother/adopter.
- you intend at the start of the paternity pay period to care for the child or support the mother.

Length of Pay Period

The paternity pay period is a maximum of 2 weeks to be payable for the duration of your paternity leave.

Amount of Payment

Payment will be made at the standard rate for the duration of paternity leave. Your line manager will confirm the rate of pay to you.

Returning To Work

If you return to work following an isolated period of paternity leave; or a period of parental leave of no more than four weeks, you are entitled to return to the job in which you were employed before the absence. In addition, seniority, pension and similar rights should be as they would have been had the absence not occurred, and other terms and conditions should not be less favourable than those which would have applied had the absence not occurred.

Shared Parental Leave

You may be entitled to take shared parental leave if both you and your partner meet the eligibility criteria. Shared parental leave enables you and your partner to divide almost a year's leave between you after the child is born/adopted and gives you more flexibility over who will take leave and when. If you choose to take shared parental leave, you are still entitled to take paternity leave.

If you would like more information on shared parental leave, please speak with your line manager.

Bereaved Partner's Paternity Leave

You may be entitled to take bereaved partner's paternity leave if you are the father of a child whose mother has died, or you are the spouse, civil partner or partner of a child's primary carer who has died. For details on your entitlement to time off and support available, please speak with your line manager.

4.5 Parental Leave

Parental leave is a flexible form of unpaid leave designed to help employees spend time caring for their children. Parental leave can be taken up until the child's 18th birthday 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 Parish 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 to accommodate council need.

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

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

4.6 Shared Parental Leave

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

Employees who give birth or adopt remain entitled to take the full 52 weeks of leave if they choose to do so and the arrangements described above for maternity and adoption leave continue to apply. However, an employee may choose to share part of that leave with their partner provided that certain qualifying conditions are met. When leave is shared in this way, there is no need for the 'primary' leave taker to have returned to work. Both parents can be on leave at the same time, provided that the combined amount of

Commented [CP9]: Added in- new statutory entitlement

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leave taken by the parents does not exceed 52 weeks and provided that all of the leave is taken before the end of 52 weeks following the birth of the child or its placement for adoption.

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

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

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

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

During Maternity/Adoption or Shared Parental Leave

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

4.7 Neonatal Care Leave

Introduction

Employees have a statutory right to neonatal care leave from day one of employment where they are responsible for a child receiving neonatal care, subject to eligibility requirements.

We recognise that this can be a difficult and worrying time, both physically and mentally. This policy explains your rights to time off, pay during time off and other support offered. Employees will not be subject to detriment for taking neonatal care leave.

Entitlement

You may take neonatal care leave if you have parental or other prescribed responsibility for a child who is receiving, or who has received, neonatal care. This will apply if you are:

- a) the child's parent, intended parent, or partner of the child's mother at the date of birth
- b) in cases of adoption, the child's adopter, prospective adopter, or the partner of either, at the date the child is placed.

You are entitled to take neonatal care leave where you are responsible for a child receiving neonatal care that lasts for at least 7 consecutive days and starts within 28 days beginning with the day after the child's birth.

You are entitled to take one week of neonatal care leave for each consecutive 7 day period that your child is receiving neonatal care, up to a maximum of 12 weeks.

'Neonatal care' is defined in law as medical care that may be received in hospital, or out of hospital providing the child was originally an inpatient and the care is under the direction of a consultant. Neonatal care also covers children receiving palliative or end of life care.

We recognise that people other than those listed above in relation to whom the statutory right applies may want time off in these circumstances. Requests for time off in relation to these people should be made to your line manager but these will be considered separately to time off for statutory neonatal care leave.

Notice Requirements

You can take neonatal care leave during two periods:

- a) "tier 1 period" – starts from the day the child starts receiving neonatal care, ending with the 7th day after the child stops receiving neonatal care. Leave taken in this period can be taken in non-consecutive weeks.
- b) "tier 2 period" – any period which is outside of "tier 1" during which you are entitled to neonatal care leave. Leave taken in this period must be taken consecutively.

You must provide the following information when you notify us of your intention to take neonatal care leave:

- a) your name
- b) the child's date of birth; and date of placement if adoption
- c) date(s) the child started receiving neonatal care
- d) date neonatal care ended if the child is no longer receiving it
- e) date you want the leave to begin
- f) number of weeks' leave you want to take
- g) declaration that you are taking the leave to care for the child
- h) declaration that you meet the eligibility requirements.

If you wish to take neonatal care leave in the tier 1 period you must simply notify us verbally by contacting your Line Manager before you are due to start work on your first day of leave, unless it is not reasonably practicable to do so, in which case you must notify us as soon as it is reasonably practicable. In practice, this means that no advance notice is needed but you must let us know before you start work on that day, where reasonably practicable.

Where you have given notice in the tier 1 period of your intention to take neonatal care leave before the child has stopped receiving neonatal care, you must tell us the date that the neonatal care ends, as soon as is reasonably practicable after that date.

Where the child starts to receive neonatal care again after you have told us that neonatal care has ended, you must tell us the date that the neonatal care started again and the date when it ends, as soon as reasonably practicable after each date.

If you wish to take neonatal care leave in the tier 2 period you must give us the required notice in writing no later than 15 days before the first day of leave when taking a single week, or no later than 28 days before the first day of leave when taking two or more weeks.

If you change your mind about taking neonatal care leave, you can withdraw your notice by following the same notice periods that you are required to give to take leave.

Notwithstanding the above, we may agree to waive the notice requirements where appropriate depending on the circumstances.

Your neonatal care leave will start on the day specified when you give notice unless the leave is due to start on the same day as the notice is given, or you are at work on that day, then it will start the day after.

Taking Leave

You cannot take neonatal care leave before the day after the first 7-day uninterrupted period of neonatal care. Neonatal care leave can only be taken in minimum blocks of one week.

You must take the leave before the end of a period of 68 weeks beginning with the child's date of birth or date of placement in cases of adoption.

If you accrue neonatal care leave after already starting another period of statutory family leave, such as maternity or paternity leave, then you can take the neonatal care leave after the end of the statutory family leave, providing it is within 68 weeks beginning on the child's date of birth or placement.

Pay During Leave

You are entitled to statutory neonatal care pay during neonatal care leave if you:

- a) are eligible for statutory neonatal care leave
- b) have 26 weeks' continuous service by the relevant week
- c) earn at least the lower earnings limit on average calculated over the period of eight weeks ending with the relevant week
- d) are still in employment in the week before neonatal care starts.

Where you are entitled to another form of statutory family leave payment, such as statutory maternity pay, the relevant week is the same as the qualifying week for that payment. In all other cases, the relevant week is the week immediately before neonatal care starts.

If you are eligible, you are entitled to a maximum of 12 weeks' statutory neonatal care pay, paid at one week per every 7 uninterrupted days of care the child receives.

The weekly rate of statutory neonatal care pay is the lower of:

- a) the current statutory rate
- b) 90% of your normal weekly earnings.

If you are eligible for statutory neonatal care pay, you need to give us notice in writing of your intention to claim it alongside your notice of intention to take neonatal care leave.

Where you are claiming statutory neonatal care pay in the tier 1 period, you must provide notice before the end of 28 days after the first day of the pay week the notice refers to.

If you are claiming statutory neonatal care pay in the tier 2 period, you must provide notice no later than 15 days before the first day of the relevant pay week when taking a single week, or no later than 28 days before the first day of the first relevant pay week when taking two or more weeks.

The notice must include:

- a) your name
- b) the child's date of birth; and date of placement if adoption
- c) date(s) the child started receiving neonatal care
- d) date neonatal care ended if the child is no longer receiving it
- e) declaration that the week you are claiming pay for was taken to care for the child
- f) declaration that you meet the eligibility requirements.

Returning To Work

You have the right to return to work to the same job unless you return after a specific point at which you will have the right to return to a similar job on no less favourable terms if it is not practicable for you to return to the same job. Your manager will explain how this affects you based on your individual circumstances.

Employee Assistance Programme

We would like to remind you that you have access to a 24-hour telephone counselling service and we would like to encourage you to use it if you feel you would like to talk to someone about your situation.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI

homepage, where you can ask your question. More details of this service are available from your Line Manger.

Other Related Policies

For more information on time off in relation to children, please read our policies on maternity leave, adoption leave, paternity leave, parental leave, shared parental leave and parental bereavement leave.

Use Of Neonatal Care Leave

Employees who take time off under this policy for reasons other than those for which the statutory right to neonatal care leave is intended may be subject to investigation and subsequent disciplinary proceedings.

4.8 Bereaved Partner's Paternity Leave

Eligible employees have a statutory right to bereaved partner's paternity leave from day one of employment in circumstances where a child's primary carer dies. This policy explains your rights to time off and other support offered. Employees will not be subject to detriment for taking bereaved partner's paternity leave.

Eligibility for Bereaved Partner's Paternity Leave

In a birth case, you may be entitled to take leave if the child's mother has died and you are the father of a child or you are not the child's father but, immediately before the death of the child's mother, was married to, or was the civil partner or the partner of, the child's mother.

In an adoption case, you may be entitled to take leave if you were married to, or were the civil partner or the partner of, the child's adopter on the date on which the child was placed for adoption or immediately before the death of the child's adopter. In an overseas adoption case, you must have been married to, or the civil partner or the partner of, the child's adopter on the date on which the child's adopter received the official notification, or immediately before the death of the child's adopter.

In a parental order case, you may be entitled to take leave if you were married to, or were the civil partner or the partner of, the child's primary parental order parent on the date on which the child was born, or immediately before the death of the child's primary parental order parent.

You must have main responsibility for the upbringing of the child and the purpose of the leave must be to care for the child.

Commencement and duration of leave

Eligible employees may take a single period of up to 52 weeks' leave.

Leave can only be taken after the bereavement date and within the 52-week paternity leave eligibility period, which begins from either:

- a) The day after the child is born; or
- b) The day after the child is placed for adoption (for adoption in Great Britain); or
- c) The day after the child enters Great Britain (for overseas adoption).

Where the bereavement date occurs within the last two weeks of the paternity leave eligibility period, the eligibility period will be extended and you will be entitled to a maximum of two weeks' leave.

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- Employee must be: father / mother's partner / secondary adaptor
- Eligible for 52 weeks of leave of unpaid leave.
- Leave to be taken within 52 of the child's birth (aka- the mother needs to have passed away within the first year)

If leave is taken within the first 8 weeks after bereavement, notice must be given before the first day of absence.

If leave is taken beyond 8 weeks, at least one week's written notice is required.

Get 10 KIT days

Protections in place = right to return to the same role etc / protection from detriment / dismissal

The entitlement applies even in cases where the child dies, is returned after adoption, or ceases to live with the employee. However, leave eligibility ends at the earlier of 8 weeks (not 52 weeks) following the event or the end of the eligibility period.

During bereaved partner's paternity leave you are entitled to the benefit of your normal terms and conditions of employment, except wages/salary, and you are bound by any obligations arising under those terms and conditions except in so far as they are inconsistent with the right to bereaved partner's paternity leave.

Where possible, you should book and take your annual leave entitlement in the current holiday year. However, if you are unable to take all your statutory minimum entitlement to annual leave because you were on bereaved partner's paternity leave, you are entitled to carry over untaken annual leave into the following leave year.

Pay during Bereaved Partner's Paternity Leave

Time off for bereaved partner's paternity leave is unpaid.

Notification requirements

You must give notice of your intention to take bereaved partner's paternity leave.

If you wish to start the leave within the first eight weeks following the bereavement date, you must give us notice before you are due to start work on your first day of absence. You can give notice orally or in writing.

The notice must set out:

- a) The bereavement date
- b) The date you want your leave to start
- c) The date on which either the child was born, placed for adoption, or entered Great Britain for adoption.

If you wish to start the leave after the initial eight week period following the bereavement date, you must give us at least one week's notice in writing.

This must include the information set out in a) to c) above under Notification Requirements in addition to:

- a) The date you intend to return to work
- b) A declaration that the leave will be for the purpose of caring for the child and that the child's mother or main adopter has died
- c) A declaration that you have an eligible relationship with the mother or main adopter.

If you start your leave within eight weeks of the bereavement date, and you give us notice of your intention to take leave orally, you must also give us notice in writing of the date you intend to return to work. If your intended return date is more than eight weeks following the bereavement date, the written notice must also include the above declarations. You must give us the written notice no more than eight weeks after the bereavement date and at least one week before your intended return date.

A form that you can use for this purpose is available from management.

Changing your mind about your leave start date

You may change your mind about the date you want your leave to start, provided you notify us.

If you intended to start the leave within the first eight weeks following the bereavement date, you must give us notice that you wish to vary the start date of your leave before the last notified leave start date and, where the new leave start date is no more than eight weeks after the bereavement date, before the new leave start date. Where the new leave start date is more than eight weeks after the bereavement date, you must give us notice before the last notified leave start date and at least one week before the new leave start date.

If you intended to start the leave more than eight weeks following the bereavement date, you must give us notice that you wish to vary the start date of your leave at least one week before the last notified leave start date and at least one week before the new leave start date.

Where the new leave start date is no more than eight weeks after the bereavement date, you can give the notice orally or in writing. Where the new leave start date is more than eight weeks after the bereavement date, you must give us notice in writing.

Cancelling your leave

You may cancel your leave by giving us notice in writing.

Where the last notified leave start date is no more than eight weeks after the bereavement date, you must give us notice that you wish to cancel your leave before that date.

Where the last notified leave start date is more than eight weeks after the bereavement date, you must give us notice that you wish to cancel your leave at least one week before that date.

Changing your mind about your return to work date

You may change your intended return date by giving us notice of your new intended return date in writing.

Where the last notified intended return date is no more than eight weeks after the bereavement date, you must give us the notice at least one week before that last notified intended return date and at least one week before the new intended return date.

Where the last notified intended return date is more than eight weeks after the bereavement date, you must give us the notice at least eight weeks before that last notified intended return date and at least eight weeks before the new intended return date.

Postponing your return to work

If you want to return to work but haven't notified us as set out above, we may postpone your return to work to a date when you would have returned if you had followed the notice requirements. We will always give you notice in writing of the postponement.

We will not postpone your return to work past the end of the paternity leave eligibility period.

If we postpone your return to work, you will not be entitled to your usual remuneration until the date set out in the notice of postponement if you return to work before that date. This will apply unless we have revoked the notice of postponement in writing.

Entitlement to leave when the purpose of caring for the child cannot be met

You may still be entitled to leave where you would be eligible but for a 'relevant event' happening. These events are:

- a) The death of the child
- b) The child being returned after being placed for adoption
- c) The child ceasing to live with you (overseas adoption).

In these circumstances, you are entitled to take bereaved partner's paternity leave until the earliest of:

- a) Eight weeks following the end of the week the relevant event occurred in, or
- b) The end of the 52-week paternity leave eligibility period.

Where this situation arises, in addition to following the notification requirements set out above, you must inform us of the date and nature of the relevant event before your first day of bereaved partner's paternity

leave following the relevant event. You can do this orally or in writing. We will not postpone your return to work past the end of the paternity leave eligibility period.

Keeping in touch days

You may by mutual agreement, work for up to 10 days' during your leave.

For this purpose any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the bereaved partner's paternity leave period.

Payment in respect of these 'keeping in touch' days will be agreed beforehand.

Returning to work

If you return to work after a period of 26 weeks or less of bereaved partner's paternity leave, you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence.

If you return to work after a period of more than 26 weeks' bereaved partner's paternity leave, you are entitled to return to the same job in which you were employed before your absence or, if that is not reasonably practicable, to another job which is both suitable and appropriate for you in the circumstances on terms no less favourable. Your manager will explain how this affects you based on your individual circumstances.

Other related policies

For more information on time off in relation to your children, please read our policies on parental leave and parental bereavement leave.

Use of Bereaved Partner's Paternity Leave

Employees who take time off under this policy for reasons other than those for which the statutory right to bereaved partner's paternity leave is intended may be subject to investigation and subsequent disciplinary proceedings.

4.9 Carer's Leave

Introduction

Employees with caring responsibilities have a statutory right to take unpaid statutory carer's leave from day one of their employment. This policy sets out the Council's stance on employees taking time off for this purpose whilst ensuring the Council's operations are not unduly affected. The term 'dependant' for these purposes is prescribed in law and replicated in this policy. Employees will not be subject to detriment for taking carer's leave.

Entitlement

You are entitled to take one working week unpaid of carer's leave per rolling 12-month period to provide care or arrange care for a dependant with a long-term care need. When you make a request, we will look back over the previous 12 months from the final (or only) day of leave that you have requested to determine your exact entitlement at that time.

You can request to take your entitlement in a continuous block or separate occurrences but each occurrence must be at least one half of your working day.

For these purposes, a week is based on the number of days you normally work in a week. If your normal working time varies from week to week, OR if you are not contracted to work in every week of the year) a week is your average working time in a week taken over the previous 12 months.

A dependant is defined as a:

- spouse or civil partner
- child
- parent
- person who lives in the same household but is not a tenant, lodger, boarder or employee
- person who reasonably relies on you to provide or arrange care. This could be, for example, an elderly neighbour.

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 old age.

The Council recognises that people other than those listed above in relation to whom the statutory right applies may depend on you for assistance. Requests for time off in relation to these people should be made to your line manager but these will be considered separately to requests for statutory carer's leave.

You are not required to provide evidence of your eligibility in relation to a request for carer's leave.

Employees who request or take time off under this policy for reasons other than those for which the statutory right to carer's leave is intended may be subject to investigation and subsequent disciplinary proceedings.

Pay For Time Off

Time off for carer's leave is unpaid.

Requests For Carer's Leave

A request for carer's leave must be made in writing (please let Management know if you require any assistance with this) and must specify:

- that you are entitled to take carer's leave in terms of the person to be cared for,
- that you will take leave in order to provide or arrange care for that person,
- that you have not exceeded your entitlement, and
- the days on which you want to take leave and if the leave relates to part of a day, specify this fact.

The length of notice to be given is double the amount of time that you want to take off as carer's leave in that instance or three days, whichever is longer.

Postponing Carer's Leave

The Council may decide to postpone your request for carer's leave for up to one month, if we reasonably consider that the operation of our council would be unduly disrupted if you took carer's leave at the time you have asked for. We will try to avoid postponement wherever possible.

The Council will consult with you before determining a new date for you to take the carer's leave requested. The new period of carer's leave will be for the same length of time as the original request.

The Council will confirm to you in writing the reason for the postponement and the new agreed date of leave, no later than whichever is earlier out of: seven days after you gave the request to the Council and the earliest day or part day of the leave originally requested.

Other Policies

You have a statutory right to take a reasonable amount of time off work to deal with emergencies involving your dependants. If you need time off in an emergency to care for a dependant, you should read our time off for dependants policy.

Your entitlement to time off on the loss of a child are set out in our policy on parental bereavement leave, including details of eligibility, pay during time off and other support available.

If you wish to make a request for parental leave to care for a child, you should read our parental leave policy.

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 meeting to discuss the issues raised by the manager's concerns. The meeting will be conducted by the employee's line manager and will consider any representations the employee may make about their performance, whether it needs to be improved, and if so what steps can be taken to help the employee reach the appropriate level.

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

Short-term Absence

An employee who the Council considers having an excessive sickness absence record will be spoken to informally and usually have specific attendance targets set and be advised if these are breached, they 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 within 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 council.

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 based on 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 considering 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 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 fall into this category – some of which are then explained in more detail below:

- Theft.
- Deliberate acts of discrimination or harassment.
- Refusal to carry out reasonable instructions.
- Violent or intimidating behaviour.
- Wilful damage to property.
- Reckless behaviour posing a risk to health and safety.
- Any act or omission constituting serious or gross negligence/or dereliction of duty.
- Sleeping on duty.
- 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.
- Any illegal act during working time or on Council premises; and
- Any act described as gross misconduct elsewhere in this handbook.

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 make a decision about 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 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 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 1 year, after which it will not be considered 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

This section provides a summary of the procedure. The full Grievance Policy and Procedure (Version 1.1, January 2026) sets out the detailed process, including timeframes and formal requirements, and should be referred to in all cases.

Purpose and Principles

The Council is committed to maintaining good working relationships and to resolving employee concerns fairly, consistently and as quickly as possible. This procedure is based on the ACAS Code of Practice and the Council's approved Grievance Policy and Procedure.

Employees are encouraged to raise any concerns informally in the first instance, as many issues can be resolved through normal working relationships.

Informal Resolution

Where possible, employees should raise concerns with their line manager at the earliest opportunity to seek an informal resolution.

If the grievance relates to the employee's manager, or the employee feels unable to raise it with them, the matter should be raised with the Chair of the HR Committee.

Concerns relating to councillors may also be raised informally in the first instance where appropriate.

Formal Grievance

If a matter cannot be resolved informally, a formal grievance may be submitted.

The grievance must be made in writing

It must be submitted to the Chair of the HR Committee

The employee should provide full details of the issue, including relevant facts, dates and the outcome sought

A formal grievance will be handled in accordance with the Council's adopted policy.

Review Panel and Investigation

Upon receipt of a formal grievance:

The HR Committee will appoint a Review Panel of three councillors, none of whom will have had direct involvement in the matter

The Panel may appoint an independent investigator where appropriate to establish the facts

The employee will be invited in writing to attend a grievance meeting and will be given reasonable notice

Grievance Hearing

At the grievance meeting:

The employee will have the opportunity to present their case and supporting evidence

The employee has the right to be accompanied by a fellow employee, trade union representative, or trade union official

Witnesses may be called where relevant

The Panel may adjourn the meeting to allow further investigation if required

Following the meeting, the Review Panel will provide a written decision, including any actions to be taken and notification of the right of appeal.

Code of Conduct Complaints

Where a grievance concerns a complaint about a councillor:

The matter may be considered at the informal stage of this procedure

If unresolved, the issue may need to be referred to the Monitoring Officer under the Council's Code of Conduct arrangements

Formal stages of this grievance procedure may not apply where the matter falls within the Code of Conduct regime

Relationship with Other Procedures

Where a grievance relates to, or overlaps with, another procedure (for example disciplinary proceedings), the Council may:

Deal with the grievance within that process

Consider it as part of an appeal

Or delay consideration of the grievance until the other procedure is concluded

Appeal

If an employee is dissatisfied with the outcome of their grievance:

An appeal must be submitted in writing within 7 calendar days of receiving the decision

The appeal must clearly state the grounds for appeal

The appeal will be heard by an Appeal Panel of three councillors who have had no prior involvement in the case.

The employee has the right to be accompanied at the appeal hearing.

The Appeal Panel's decision will be confirmed in writing and is final.

Confidentiality and General Provisions

Grievances will be handled as confidentially as reasonably practicable

Records will be kept in accordance with data protection requirements

Employees will not be subject to detriment for raising a grievance in good faith

Recording of meetings is not permitted unless agreed as a reasonable adjustment

Mediation may be considered at any stage where appropriate

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 council or methods of working may change and requirements for employees may reduce.

The purpose of this policy is to ensure that, whenever 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.
- a) (f) Identifying suitable alternative work with the Council that might be offered to potentially redundant employees.
- b) (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 council 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 gender, 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 council 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.

6 EQUAL OPPORTUNITIES & 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 will not condone any form of harassment, 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.
- 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 these 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 specification 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 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 in order 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

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 council trips or at work-related events or social functions.

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. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a Protected Characteristic. 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) unwanted physical conduct or "horseplay", including touching, pinching, pushing, and grabbing.

- b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless).
- c) offensive e-mails, text messages or social media content.
- d) mocking, mimicking, or belittling a person's disability.

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.

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

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.

6.3 Procedure

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 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.

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 between you and the person accused during the investigation.

Once the investigation is complete, we will inform you of our decision. If we consider you have been harassed or bullied 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. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Employees who make complaints 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.

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.

6.4 Monitoring equal opportunities and dignity at work

We will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve

considering any possible indirectly discriminatory effects of its working practices. If changes are required, we will implement them. We will also make reasonable adjustments to its 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.

6.5 Data Protection

Introduction

We may have to collect and use information about people with whom we work. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means.

We regard the lawful and correct treatment of personal information as very important to our successful operation and to maintaining confidence between us and those with whom we carry out business. We will ensure that we treat personal information lawfully and correctly.

To this end we fully endorse and adhere to the principles of the General Data Protection Regulation (GDPR).

This policy applies to the processing of personal data in manual and electronic records kept by us in connection with our human resources function as described below. It also covers our response to any data breach and other rights under the GDPR.

This policy applies to the personal data of job applicants, existing and former employees, apprentices, volunteers, placement students, workers and self-employed contractors. These are referred to in this policy as relevant individuals.

Definitions

“Personal data” is information that relates to an identifiable person who can be directly or indirectly identified from that information, for example, a person’s name, identification number, location, online identifier. It can also include pseudonymised data.

“Special categories of personal data” is data which relates to an individual’s health, sex life, sexual orientation, race, ethnic origin, political opinion, religion, and trade union membership. It also includes genetic and biometric data (where used for ID purposes).

“Criminal offence data” is data which relates to an individual’s criminal convictions and offences.

“Data processing” is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Data Protection Principles

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

1. processing will be fair, lawful and transparent
2. data be collected for specific, explicit, and legitimate purposes
3. data collected will be adequate, relevant and limited to what is necessary for the purposes of processing
4. data will be kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
5. data is not kept for longer than is necessary for its given purpose
6. data will be processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
7. we will comply with the relevant GDPR procedures for international transferring of personal data

Types Of Data Held

We keep several categories of personal data on our employees in order to carry out effective and efficient processes. We keep this data in a personnel file relating to each employee and we also hold the data within our computer systems, for example, our holiday booking system.

Specifically, we hold the following types of data:

1. personal details such as name, address, phone numbers
2. information gathered via the recruitment process such as that entered into a CV or included in a CV cover letter, references from former employers, details on your education and employment history etc
3. details relating to pay administration such as National Insurance numbers, bank account details and tax codes
4. medical or health information
5. information relating to your employment with us, including:
 - i. job title and job descriptions
 - ii. your salary
 - iii. your wider terms and conditions of employment
 - iv. details of formal and informal proceedings involving you such as letters of concern, disciplinary and grievance proceedings, your annual leave records, appraisal and performance information
 - v. internal and external training modules undertaken

All of the above information is required for our processing activities. More information on those processing activities are included in our privacy notice for employees, which is available from your manager.

Employee Rights

You have the following rights in relation to the personal data we hold on you:

1. the right to be informed about the data we hold on you and what we do with it;
2. the right of access to the data we hold on you. More information on this can be found in the section headed "Access to Data" below and in our separate policy on Subject Access Requests;
3. the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
4. the right to have data deleted in certain circumstances. This is also known as 'erasure';

5. the right to restrict the processing of the data;
6. the right to transfer the data we hold on you to another party. This is also known as 'portability';
7. the right to object to the inclusion of any information;
8. the right to regulate any automated decision-making and profiling of personal data.

More information can be found on each of these rights in our separate policy on employee rights under GDPR.

Responsibilities

In order to protect the personal data of relevant individuals, those within the council who must process data as part of their role have been made aware of our policies on data protection.

We have also appointed employees with responsibility for reviewing and auditing our data protection systems.

Lawful Bases of Processing

We acknowledge that processing may only be carried out where a lawful basis for that processing exists and we have assigned a lawful basis against each processing activity.

Where no other lawful basis applies, we may seek to rely on the employee's consent in order to process data.

However, we recognise the high standard attached to its use. We understand that consent must be freely given, specific, informed and unambiguous. Where consent is to be sought, we will do so on a specific and individual basis where appropriate. Employees will be given clear instructions on the desired processing activity, informed of the consequences of their consent and of their clear right to withdraw consent at any time.

Access to Data

As stated above, employees have a right to access the personal data that we hold on them. To exercise this right, employees should make a Subject Access Request. We will comply with the request without delay, and within one month unless, in accordance with legislation, we decide that an extension is required. Those who make a request will be kept fully informed of any decision to extend the time limit.

No charge will be made for complying with a request unless the request is manifestly unfounded or excessive, or unless a request is made for duplicate copies to be provided to the employee making the request or to a third party acting on the employee's behalf. In these circumstances, a reasonable charge will be applied.

Further information on making a subject access request is contained in our Subject Access Request policy.

Data Disclosures

The Council may be required to disclose certain data/information to any person. The circumstances leading to such disclosures include:

1. any employee benefits operated by third parties;
2. disabled individuals- whether any reasonable adjustments are required to assist them at work;
3. individuals' health data- to comply with health and safety or occupational health obligations towards the employee;
4. for Statutory Sick Pay purposes;
5. HR management and administration- to consider how an individual's health affects their ability to do their job;
6. the smooth operation of any employee insurance policies or pension plans;
7. to assist law enforcement or a relevant authority to prevent or detect crime or prosecute offenders or to assess or collect any tax or duty.

These kinds of disclosures will only be made when strictly necessary for the purpose.

Data Security

All our employees are aware that hard copy personal information should be kept in a locked filing cabinet, drawer, or safe.

Employees are aware of their roles and responsibilities when their role involves the processing of data. All employees are instructed to store files or written information of a confidential nature in a secure manner so they are only accessed by people who have a need and a right to access them and to ensure that screen locks are implemented on all PCs, laptops etc when unattended. No files or written information of a confidential nature are to be left where they can be read by unauthorised people.

Where data is computerised, it should be coded, encrypted or password protected both on a local hard drive and on a network drive that is regularly backed up. If a copy is kept on removable storage media, that media must itself be kept in a locked filing cabinet, drawer, or safe.

Employees must always use the passwords provided to access the computer system and not abuse them by passing them on to people who should not have them.

Personal data relating to employees should not be kept or transported on laptops, USB sticks, or similar devices, unless prior authorisation has been received. Where personal data is recorded on any such device it should be protected by:

1. ensuring that data is recorded on such devices only where absolutely necessary.
2. using an encrypted system — a folder should be created to store the files that need extra protection and all files created or moved to this folder should be automatically encrypted.
3. ensuring that laptops or USB drives are not left where they can be stolen.

Failure to follow the Council's rules on data security may be dealt with via the Council's disciplinary procedure. Appropriate sanctions include dismissal with or without notice dependent on the severity of the failure.

Third Party Processing

Where we engage third parties to process data on our behalf, we will ensure, via a data processing agreement with the third party, that the third party takes such measures in order to maintain the Council's commitment to protecting data.

Requirement to Notify Breaches

All data breaches will be recorded on our Data Breach Register. Where legally required, we will report a breach to the Information Commissioner within 72 hours of discovery. In addition, where legally required, we will inform the individual whose data was subject to breach.

More information on breach notification is available in our Breach Notification policy.

Training

New employees must read and understand the policies on data protection as part of their induction.

All employees receive training covering basic information about confidentiality, data protection and the actions to take upon identifying a potential data breach.

The nominated data controller/auditors/protection officers for the Council are trained appropriately in their roles under the GDPR.

All employees who need to use the computer system are trained to protect individuals' private data, to ensure data security, and to understand the consequences to them as individuals and the Council of any potential lapses and breaches of the Council's policies and procedures.

Records

The Council keeps records of its processing activities including the purpose for the processing and retention periods in its HR Data Record. These records will be kept up to date so that they reflect current processing activities.

6.6 Sexual Harassment Policy

Introduction

All members of staff are entitled to be treated with dignity and respect in our place of work. This means freedom from sexual harassment, feeling safe and supported, and having access to redress if such behaviour does arise.

Sexual harassment takes many forms, but whatever form it takes, it is unlawful under the Equality Act 2010 as amended. We will not tolerate it.

The law requires employers to take reasonable steps to prevent sexual harassment of their workers. We take action to prevent sexual harassment from occurring and have clear reporting procedures for our staff to make a complaint about sexual harassment. If you have been sexually harassed, or you have witnessed sexual harassment, we encourage you to tell us so that we can deal with the matter swiftly.

Senior management has overall responsibility for the operation of this policy but may delegate elements of implementation or decision making to your Line managers. Our managers will maintain an open door policy. All of our staff have a responsibility to behave in line with the requirements of this policy.

Instances of sexual harassment or victimisation may lead to disciplinary action including termination of employment.

This policy is reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness. Any changes required will be implemented and communicated to our workforce.

Scope

We deplore all forms of sexual harassment and seek to ensure that the working environment is safe and supportive to all those who work for us. This includes employees, workers, agency workers, volunteers and contractors in all areas of our Council, including any overseas sites.

Definitions

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It also covers treating someone less favourably because they have submitted to or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex.

Sexual harassment may be committed by a fellow worker, an agent of an organisation, or a third party. It does not need to occur in person. It can occur via digital means including social media sites or channels e.g. WhatsApp. Someone may be sexually harassed even if they were not the target of the behaviour. Examples of sexual harassment include, but are not limited to:

- a) sexual comments or jokes, which may be referred to as 'banter'
- b) displaying sexually graphic pictures, posters or photos
- c) suggestive looks, staring or leering
- d) propositions and sexual advances
- e) making promises in return for sexual favours
- f) sexual gestures
- g) intrusive questions about a person's private or sex life or a person discussing their own sex life
- h) sexual posts or contact in online communications including on social media
- i) spreading sexual rumours about a person
- j) sending sexually explicit emails, text messages or messages via other social media

- k) unwelcome touching, hugging, massaging or kissing

Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do an act which is protected under discrimination and harassment laws. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation.

The protected acts are:

- a) making a claim or complaint under the Equality Act 2010 (for example, for discrimination or harassment)
- b) helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act 2010
- c) making an allegation that someone has breached the Equality Act 2010, or
- d) doing anything else in connection with the Equality Act 2010

Examples of victimisation may include:

- a) Failing to consider someone for promotion because they have previously made a sexual harassment complaint
- b) Dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint
- c) Excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

Circumstances Which Are Covered

This policy covers behaviour which occurs in the following situations:

- a) a work situation
- b) a situation occurring outside of the normal workplace or normal working hours which is related to work, for example, a working lunch, a council trip or social functions
- c) outside of a work situation but involving a colleague or other person connected to the Council, including on social media
- d) against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role.

What To Do If You Are Subject To Sexual Harassment Or Victimisation

We are committed to ensuring that there is no sexual harassment or victimisation in our workplace.

Allegations of sexual harassment and victimisation will be treated as a disciplinary matter, although every situation will be considered on an individual basis and in accordance with the principles of our disciplinary procedures, a copy of which is available from your line manager.

Informal Complaint

We recognise that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be the same person who will be responsible for investigating the matter if it becomes a formal complaint.

If you experience sexual harassment and you feel comfortable to do so, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel

unable to do this verbally then you should hand a written request to the harasser, and your confidential helper can assist you in this.

In addition, you may also choose to raise concerns during your regular communication with your manager, for example, in a 1-2-1 meeting. Your manager will listen to you and take your concerns seriously if you do this but may encourage you to follow the reporting procedures set out below.

Formal Complaint

Where the informal approach fails or if the sexual harassment or victimisation is more serious, you should bring the matter to the attention of Senior Management as a formal written complaint and again your confidential helper can assist you in this. Our online means of reporting sexual harassment are continually monitored, and you will be contacted within 5 working days

If possible, you should keep notes of what happened so that the written complaint can include:

- a) the name of the alleged harasser;
- b) the nature of the alleged harassment;
- c) the dates and times when the alleged harassment occurred;
- d) the names of any witnesses; and
- e) any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint, we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. The meeting will normally be held within five working days of receipt of your complaint. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice, and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence may be dealt with under the disciplinary procedure.

On conclusion of the investigation, which will normally be within ten working days of the meeting with you, the decision of the investigator, detailing the findings, will be sent in writing to you.

You have the right to appeal against the findings of the investigator. If you wish to appeal you must inform the Managing Director within five working days. You will then be invited to a further meeting. As far as reasonably practicable, the Council will be represented by a more Senior Manager than attended the first meeting (unless the most Senior Manager attended that meeting).

Following the appeal meeting, you will be informed of the final decision, normally within ten working days, which will be confirmed in writing.

Regardless of the outcome of the procedure, we are committed to providing the support you may need. This may involve mediation between you and the other party or some other measure to manage the ongoing working relationship.

You will not be victimised for having brought a complaint.

What To Do If You Witness Sexual Harassment Or Victimisation

If you witness sexual harassment or victimisation, you are encouraged to take appropriate action to address it. You should not take any action that may put you at risk of sexual harassment or other harm. If you feel able, you should intervene to prevent the matter continuing. If you are not able to do this, your action may include offering support to the person who has been sexually harassed and encouraging them to report

the incident or reporting the incident yourself.

If reporting the incident, you should bring the matter to the attention of Senior Manager in writing. Alternatively, you can report instances of sexual harassment by emailing or by visiting your senior manager. Our online means of reporting sexual harassment are continually monitored.

Your concerns will be handled by Senior Management who will sensitively talk to the person subject to sexual harassment to determine how they want the matter to be handled.

Third-Party Sexual Harassment

Third-party sexual harassment occurs when one of our workforce is subjected to sexual harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes our customers, suppliers, members of the public, clients, service users, patients, friends and family of colleagues, delegates at a conference, audiences, self-employed contractors

Third-party sexual harassment of our workforce is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties.

The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, failure for an employer to take reasonable steps to prevent third-party sexual harassment may result in legal liability in other types of claim.

In order to prevent third-party sexual harassment from occurring, we will:

- a) attach signage to the walls of the areas within the workplace where customers are present to warn that sexual harassment of our staff is not acceptable
- b) inform third-parties i.e. suppliers of our zero-tolerance sexual harassment policy within our supplier documentation
- c) inform customers by recorded message at the beginning of telephone calls of our zero-tolerance policy on sexual harassment.

If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible to senior management.

Alternatively, you can report instances of third-party sexual harassment by emailing senior management or by visiting the head office. This online means of reporting sexual harassment are continually monitored.

Should a customer sexually harass a member of our workforce, we will warn the client or customer about their behaviour/ban the customer/share information relating to the incident with our other offices/branches. Any criminal acts will be reported to the police.

We will not tolerate sexual harassment by any member of our workforce against a third party. Instances of sexual harassment of this kind may lead to disciplinary action including termination of employment.

Disciplinary Action

If the decision is that the allegation of sexual harassment or victimisation is well founded, the harasser/victimiser will be liable to disciplinary action in accordance with our disciplinary procedure up to and including summary dismissal. An employee who receives a formal warning or who is dismissed for sexual harassment/victimisation may appeal by using our disciplinary appeal procedure.

When deciding on the level of disciplinary sanction to be applied, we will take into consideration any aggravating factors affecting the case. One example of aggravating factors is an abuse of power over a more junior colleague.

If, due to the investigation, it is concluded that your complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.

Training

We provide training to all our staff on sexual harassment to ensure there is a clear understanding of, amongst other things, what sexual harassment is and how it may occur, that it will not be tolerated, expected levels of behaviour, how they can report any incidents of having been sexually harassed or having witnessed it and that acts of harassment will be dealt with under the disciplinary procedure potentially resulting in dismissal.

We ensure that all levels of management are trained on implementing this policy including preventing and managing sexual harassment in the workplace, and the procedure to follow if an allegation is reported.

We will regularly review the effectiveness of our training.

We provide refresher training as appropriate.

Employee Assistance Programme

We would like to remind you that further support is available by contacting our Employee Assistance Programme, a confidential 24-hour telephone counselling service, which can be accessed on BrightHR.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from senior management.

6.7 Positive Work Environment

Statement of the Policy

The Council is committed to creating a harmonious and safe working environment, which is free from harassment and bullying and in which every employee is treated with respect and dignity. The Council strives to ensure that the different experiences, abilities and skills of each individual are valued by others. Inappropriate behaviour should be challenged. It is the Council's intention to encourage everyone to behave in a proper manner at all times.

Harassment or bullying causes stress, anxiety and unhappiness to individuals, creates an unpleasant environment in which to work and may be unlawful. This can reduce efficiency and may ultimately have an impact on the way in which services are delivered to our customers. For these reasons, it is important that the Council, as an employer, and individual employees strive to achieve a working environment which is free from this type of behaviour.

For information on our zero-tolerance approach to sexual harassment in the workplace, including what behaviour can amount to sexual harassment, third-party sexual harassment and what to do if you witness or are subject to sexual harassment, you should read our separate Sexual Harassment Policy.

You may be an individual or part of a group that receives the unwanted attention. The harassment, bullying or victimisation may be a one-off incident, or it may be a series of incidents. Your dignity at work can be affected by inappropriate behaviour, which causes offence, whether it is intentional, or not.

The Council is committed to ensuring that individuals do not feel apprehensive because of their race, religion or belief, disability, sex, sexual orientation, pregnancy or maternity, gender reassignment, marriage or civil partnership, age, or as a result of being subjected to any inappropriate behaviour.

All employees can expect to:

- be treated with dignity, respect and courtesy;
- be able to work, free from unfair treatment, bullying, harassment or victimisation;

- be valued for their skills, abilities and experiences.

All employees are expected to:

- familiarise themselves with the content of this policy;
- treat all employees with dignity, respect and courtesy;
- contribute towards a positive working culture;
- challenge or report unacceptable behaviour;
- be mindful of others when expressing views;
- cooperate with investigations into harassment and bullying.

Breaches of this policy will be considered unacceptable behaviour and will be treated as misconduct, which may include gross misconduct warranting dismissal. All employees must comply with this policy.

The Council is committed to dealing with any issues quickly, positively and confidentially when and if they occur.

You should not at any time make comments on social networking sites which amount to bullying, harassment, including sexual harassment, or any other detriment towards other employees/contractors/suppliers/clients/customers or any other individual working in connection with us. The Council may use such evidence in investigations on bullying and harassment matters.

Definition of Harassment

Harassment is unwanted conduct, related to a relevant characteristic set out in the Equality Act 2010 that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. The protected characteristics are race, religion or belief, disability, sex, sexual orientation, pregnancy or maternity, gender reassignment, marriage or civil partnership, and age.

Harassment may take many forms. It can range from extreme forms such as violence to less obvious actions such as persistently ignoring someone.

The following, though not an exhaustive list, may constitute harassment:

- physical contact ranging from touching to serious assault;
- verbal and written harassment, including via email or letters, through jokes, teasing or banter, offensive language, gossip or slander;
- sharing inappropriate images or videos;
- using racist slang, phrases or nicknames;
- isolation, non-cooperation, or exclusion from social activities;
- intrusion by pestering, spying, or following etc.

Employees may also be subject to harassment from third parties such as clients, customers, suppliers, or the general public etc. where interaction with those third parties is a part of their role.

Definition of Bullying

Bullying is repeated inappropriate, offensive behaviour, which is often an abuse of power or position. It can be direct or indirect, either verbal, physical or otherwise, conducted by one or more persons against another or others in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

The following examples may constitute bullying:

- a) threats, abuse, teasing, gossip or practical jokes;
- b) humiliation and ridicule either in private, at meetings or in front of customers/clients;
- c) name calling, banter, insults, or devaluing with reference to age or physical appearance;
- d) setting impossible deadlines;
- e) imposing excessive workloads;
- f) making unjustified criticisms;
- g) excessive monitoring;
- h) removing responsibilities;
- i) allocating menial or pointless tasks;
- j) withholding information;
- k) refusing requests for leave, holiday or training.

It should be noted that it is the impact of the behaviour which is relevant and not the motive or intent behind it.

Employees' Responsibilities

All employees have a responsibility to help create and maintain a working environment that respects the dignity of employees. You should be aware of the serious and genuine problems which harassment and bullying can cause and ensure that your behaviour is beyond question and could not be considered in any way to be harassment or bullying. No one should practise or encourage such behaviour and should make it clear to all concerned that you find it unacceptable. You should also support colleagues if they are experiencing harassment or bullying and are considering making a complaint. You should alert a Manager or Supervisor to any incidents to enable the Council to deal with the matter.

Managerial Responsibility

Managers and supervisors have a responsibility to ensure that harassment or bullying does not occur in work areas for which they are responsible. They are committed to the elimination of bullying and harassment and must be vigilant in preventing acts wherever possible.

Managers and supervisors also have a particular duty to set a proper example by treating everyone with dignity and respect and ensure that their behaviour is beyond question.

Managers also have a responsibility to explain the Council 's policy to their staff and take steps to promote it positively. They will be responsive and supportive to any member of staff who makes a complaint, provide full and clear advice on the procedure to be adopted, maintain confidentiality in all cases and ensure that there are no further problems or any victimisation after a complaint has been raised or resolved.

The Council will provide training to ensure that all managers, supervisors and other staff are fully aware of this policy and the procedures for dealing with harassment and bullying.

Procedure for Dealing with Alleged Harassment or Bullying

Complaints can be made both formally and informally. Whichever route you decide to take, and the decision will always be yours, you will be offered guidance and assistance at every stage to help you resolve the problem as soon as possible and to stop the harassment.

If you are comfortable doing so you should, in the first instance, ask the person responsible to stop the behaviour, explaining that you feel uncomfortable in the way they are acting towards you. Speaking directly to the person at an early stage will often be sufficient to stop the behaviour.

If you feel unable to do this, you may be able to ask your Manager or a colleague to do this on your behalf.

If you decide to make a formal complaint you should do so through the grievance procedure as soon as possible after the incident has occurred. All complaints will be handled in a timely and confidential manner.

You will be guaranteed a fair and impartial hearing, and the matter will be investigated thoroughly. If the investigation reveals that your complaint is valid, prompt attention and action will be taken, designed to stop the behaviour immediately and prevent its recurrence. In such circumstances, if relocation proves necessary, every effort will be made to relocate the harasser or bully rather than you as the victim, however, the Council will endeavour to relocate you if this is your preference.

You will be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against an employee for complaining about harassment or bullying is a disciplinary offence.

Whilst this procedure is designed to assist genuine victims of harassment or bullying, you should be aware that if you raise complaints which are proven to be deliberately vexatious, you may become subject to proceedings under the disciplinary procedure.

Procedure for Dealing with Alleged Harassment or Bullying from a Third Party

Any form of harassment towards you from third parties during your dealings with them will not be tolerated by the Council.

We appreciate that a decision to report harassment from a third party may be difficult, particularly if the third party is a valuable client or customer or has a long-standing business relationship with the Council. However, we encourage you to report any instance of harassment from a third party so that the Council can take appropriate action.

You should follow the procedure set out above if you experience harassment from a third party, after which a meeting with you will be arranged and an investigation undertaken.

Our action, where a complaint is substantiated, will depend on the circumstances of the case and may include:

- speaking with the harasser and warning them that any future occurrence of harassment will result in the Council withdrawing provision of its services to the harasser;
- contacting the council for whom the harasser works and making a complaint against them. We will explicitly ask for this conduct to stop and we may require that the harasser is removed from our account;
- refusing to continue to provide our services to the harasser;
- reassigning the provision of the Council's services to the harasser to another employee.

Appendices- Related Policies

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

- (a) Grievance Procedure.
- (b) Disciplinary Procedure.
- (c) Flexible Working Procedure.
- (d) Maternity, Paternity, Adoption and Shared Parental Leave Policies.
- (e) Parental Leave Policy.
- (f) Time Off for Dependants Policy.
- (g) Data Protection Policy.
- (h) Lone Worker Policy.
- (i) TOIL Policy.
- (j) Out of Hours Working Arrangements.

.
These policies are available separately



SUNNINGDALE PARISH COUNCIL

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EXPENSES POLICY

Purpose of the Policy

The purpose of this policy is to provide clear guidance on the reimbursement of travel, hotel, conference, training and out-of-pocket expenses. It is the Parish Council's policy to reimburse all necessary and reasonable expenses directly incurred by persons whilst on Parish Council business. The expectation is that individuals will neither gain nor lose financially and will exercise prudent judgement to keep expenses to a minimum.

The Council is committed to ensuring transparency, value for money, environmental responsibility, accessibility and compliance with HMRC and audit requirements. Reasonable adjustments will be supported for councillors or staff with disabilities, including the use of taxis or additional accommodation needs where appropriate.

1. Travel

Councillors and employees of the Council should seek to choose a mode of transport that is both cost-effective and environmentally responsible, making an appropriate judgement between the cost and convenience of the mode of travel selected.

Public Transport

- a) The rate payable shall not exceed the amount of the ordinary standard class fare or any available cheap fare.
- b) First-class travel will not normally be reimbursed unless there is a clear business justification and prior written approval from the Clerk (employees) or Chair (councillors).

Own Vehicle

- a) Councillors and officers may use their private vehicles to travel to conferences, meetings or other approved Council business.
- b) The rate claimed shall follow HMRC Approved Mileage Allowance Payments (AMAP).
 - Cars (petrol/diesel/electric/hybrid): 55p per mile (first 10,000 miles), 25p per mile thereafter
 - Motorcycles: 24p per mile
 - Bicycles: 20p per mile
 - Passengers: 5p per mile per passenger (must be a Councillor or officer of the Parish Council)
- c) These rates apply equally to petrol, diesel, hybrid and fully electric vehicles, in line with HMRC guidance, and no separate electric vehicle rate will be applied.
- d) Parking and toll charges may be claimed provided these were necessarily incurred.
- e) Travel by taxi will only be paid in urgent or exceptional circumstances.
- f) Claimants must ensure that any private vehicle used is fully insured for business use. The council will not reimburse additional insurance premiums.

Start and finish points for a journey

The starting and finishing point for any journey made by a Councillor shall be his/her home. If Councillors start and/or finish their journey from a place other than their home, the claim shall be in respect of the lesser of the cost of either the journey to/from that other place or to/from their home.

Digital mapping tools may be used as evidence of mileage. Journeys should reflect the most economical reasonable route.

2. Hotels costs

- a) Hotels will only be reimbursed where an overnight stay is necessary to attend approved training, conferences or events that cannot reasonably be attended in a single day.
- b) The maximum reimbursable hotel cost is £500 per stay, in line with the Clerk's delegated spending authority, unless otherwise approved by full Council in advance.
- c) Where accommodation is required, the Council expects individuals to select reasonably priced hotels. Maximum guidance rates will be reviewed annually. Upgrades, minibar use, in-room entertainment, alcoholic beverages and personal items will not be reimbursed, Itemised receipts are required.

3. Subsistence (Meals – new section)

Subsistence expenses (Meals and refreshments) may be claimed when council business prevents the individual from taking meals at home or the normal place of work. Maximum reimbursement allowances will be set by the Council and reviewed annually. Alcohol will not be reimbursed. Itemised VAT receipts are required.

4. Other Expenditure

- a) All other expenditure more than £10 must first be approved by the Clerk.
- b) Claims more than £100 should also be authorised in advance by the Chair unless already approved as part of a project budget.
- c) Digital receipts are acceptable. Non-claimable items include; speeding or parking fines; gifts; personal entertainment; personal mobile phone charges (unless previously agreed); travel upgrades; and expenses incurred by partners, family members or companions.

5. Procedure for Reimbursement

- a) To obtain reimbursement of expenses incurred, individuals should complete a Parish Council Expenses Claim Form, attach all relevant supporting receipts. Specific details should be provided to support all expense claims e.g. purpose of incurring expenditure, names of people entertained.
- b) All claims should be made as soon as possible after the expenses have been incurred and submitted to the Clerk. Claims that are received six months after the date on which the expenditure was incurred will not be paid without the specific authorisation of the Parish Council.
- c) The Clerk should examine critically all expense claims submitted for payment. Expenses will be reimbursed by Bank Transfer by the Clerk within fourteen days of receipt of a properly completed and supported Expenses Claim Form. Expenses will only be reimbursed if an original VAT Receipt is attached to the Claim Form where appropriate. Please note that credit card slips are not VAT Receipts.
- d) Expenses will only be reimbursed if a valid VAT receipt (paper or digital) is provided. Scanned or photographed receipts are acceptable provided the VAT information is clearly legible.
- e) Claimants are not permitted to authorise their own expenses, or the claims of others from which they may benefit.
- f) All claims may be subject to internal audit. Supporting evidence must be retained for six financial years plus the current year.
- g) For transparency, any expenses claimed by the Clerk must be reviewed and approved by the Chair of the HR Committee (or equivalent appropriate member) prior to reimbursement.

6. Advances and Corporate cards – new section (if applicable)

The council does not provide cash advances unless approved by resolution

Where a council corporate payment card is issued, personal use is strictly prohibited. All transactions must be supported by receipts.

7. Environmental and Sustainability Considerations - New section

Where reasonably practicable, individuals should prioritise environmentally friendly modes of transport and avoid unnecessary travel. Carsharing is encouraged.

8. Review of the policy

This policy will be reviewed every two years, or sooner if required by changes in legislation, guidance or operational need.



SUNNINGDALE PARISH COUNCIL

Document reference: PC-GOV-008

Document title: TOIL Policy

Version: v1.0

Adopted by: Full Council

Date adopted: 2026

Minute reference: /26

Next review due: June 2028

Owner: Clerk / RFO

Status: Adopted

Time Off In Lieu (TOIL) Policy

Definition of Time Off In Lieu (TOIL)

Time off in lieu (TOIL) is time taken as additional leave instead of overtime pay by officers working beyond their contractual or normal working hours.

Purpose

The purpose of this policy is to ensure that managers and officers understand the council's arrangements for TOIL, overtime, monitoring, and payment where applicable.

Principles Governing Use of TOIL

The requirement for additional hours may arise due to:

- a) Increased workload
- b) Temporary staffing shortages
- c) Covering absences
- d) Meeting deadlines
- e) Attendance at evening meetings of the council or its committees

- f) Attendance at Council events (e.g. civic events, community functions)

The Council does not encourage excessive working hours and is committed to compliance with Working Time Regulations.

Overtime and Applicability

- a) Historically, overtime has not been paid to officers on or above Salary Scale Point (SCP) 22; however,
- b) The Council will review TOIL arrangements for all officers, not solely those at SCP 22 and below.
- c) Where TOIL accrual becomes excessive or cannot reasonably be taken, payment for overtime may be considered, subject to approval and available budget.

Accruing TOIL

- a) Officers may accrue TOIL for hours worked beyond contractual requirements.
- b) Attendance at evening meetings may be treated as TOIL and does not require prior approval.
- c) Managers must ensure that total working hours do not exceed 48 hours per week unless opted out.
- d) A record of TOIL accrued must be maintained for each officer.

Taking TOIL

- a) Officers should take TOIL as soon as reasonably practicable after it is accrued.
- b) TOIL should normally be taken within 6 months.
- c) Managers are responsible for ensuring TOIL balances do not become excessive.
- d) TOIL balances will be formally reviewed every 6 months to ensure appropriate management and identify any requirement for payment or operational changes.

Upper Limits and Payment of TOIL

- a) TOIL should not exceed a reasonable operational threshold (to be determined locally, e.g. a set number of hours).

- b) Where TOIL exceeds the agreed upper limit or cannot be taken due to operational demands, the Council may approve overtime payment instead.
- c) Any such payments must:
 - I. Be agreed in advance where possible
 - II. Be recorded and justified
 - III. Align with approved Council budgets

Redeeming TOIL

- a) TOIL not taken within 6 months will normally be forfeited
- b) Exceptions may apply where:
 - I. Operational demands prevented leave being taken
 - II. Prior written agreement is in place

Monitoring and Reporting

- a) Accurate records of TOIL accrued and taken will be maintained
- b) A report will be provided to the HR Committee every 6 months, including:
 - I. TOIL balances for all officers
 - II. Patterns of accrual
 - III. Any cases exceeding limits
 - IV. Recommendations for action
- c) An initial report will be provided covering TOIL accrued over the last two years and current balances.

Governance and Budget Considerations

- a) Any changes to TOIL arrangements, including payment of overtime, must be:
 - I. Considered alongside Council budgets
 - II. Approved through appropriate governance channels
- b) Financial implications of TOIL payments must be clearly identified and monitored.

Misuse

Any suspected misuse of TOIL (e.g. inaccurate recording of hours) may be treated as a disciplinary matter.

Review of the policy

This policy will be reviewed every two years, or sooner if required by changes in legislation, guidance or operational need.



SUNNINGDALE PARISH COUNCIL

To Full Council
Date 16 June 2026
Author Natalie Hayes, Clerk/RFO
Subject Authority to engage a payroll bureau
Budget Salaries & wages (4001/101)

Reason for report to seek Council authorisation to engage a payroll bureau to process payroll for all Sunningdale Parish Council employees.

Background

- The Council currently uses multiple applications to administer and process payroll for its four employees.
- Processing a standard monthly payroll takes approximately 1.5 hours, including:
 - Updating payroll records and spreadsheets
 - Logging into multiple systems
 - Generating and issuing payslips
 - Setting up bank payments and requesting authorisation
- When infrequent events occur (e.g. sickness, pay increases, or statutory adjustments), processing time increases significantly due to the need to research and ensure compliance with legal requirements.
- Enquiries were made with other local councils regarding payroll bureau services and recommendations.
- A detailed breakdown of the process is included in Appendix A.

Risk Management, Resource Resilience and Payroll Knowledge

The Council has a legal obligation to:

- Pay employees correctly and on time
- Submit payroll information to HMRC and NEST Pension by fixed deadlines

Currently, payroll is processed solely by the Clerk/RFO, creating a single point of failure. In the event of unexpected absence:

- Payroll processing would be disrupted
- Salaries could not be paid
- The Deputy Clerk is not trained to undertake full payroll duties

Engaging a payroll bureau would:

- Improve resilience and remove reliance on one individual
- Provide a clear and independent audit trail
- Strengthen internal controls by separating payroll processing from authorisation
- Allow the Clerk to focus on core council activities

Advantages

- Reduced reliance on a single officer
- Accurate tax, NI and pension calculations
- Timely Real Time Information (RTI) submissions to HMRC
- Full compliance with changing legislation
- Improved audit transparency and risk/fraud management
- Access to specialist payroll expertise
- GDPR-compliant systems and data protection
- Time savings for the Clerk/RFO

Disadvantages

- Parish council payrolls can be complex and may still require some internal input
- Not all queries may be fully outsourced

Quotes from payroll bureau

Supplier	Implementation Fee	Monthly Cost	Year 1 Cost	Other Notes
S	Set up fee of £6 per person (paid once only) Nest set up fee £75 (once only)	Payroll £15 per month base fee Payslips £2 per person Pension £3.50 per person per month Total monthly cost £37.00 + VAT for 4 employees	TOTAL: £543 Year 2 costs £444	Recommended service by another Clerk Would request link to bank to set up authorisation to pay employees/BACS bureau element. They can pay HMRC when BACS is in place
W	No set up and implementation costs	Fixed monthly Fee £103.95 + VAT Employee payslip- £8.40 each plus VAT AE Pension per employee £7.35 + VAT	TOTAL £2,003.40	Recommended service by local Clerk (smaller business, but now merged with this company)
D	£1,000 (one off cost, includes training)	Payroll management fee £100 Payment of employees monthly £22 Total £122 per month <i>[£5.50 per employee per pay thereafter]</i>	TOTAL £2,464 Year 2 costs £1,464	
A	£2,000	Processing Service £7 per pay slip £95 service fee £123 monthly costs Managed Service £10 per pay slip £190 service fee £230 monthly costs	Processing Service Total- £4,952 Year 2 costs £2,952 Managed Service TOTAL £7,520 Year 2 costs £5,520	Processing service would involve using software provided and managed inhouse by the Clerk. Managed service has an increased cost, they would manage the whole process.

Costs would be partially offset by officer time saving. Costs exclude VAT

Timings

- 1) Lead times will be confirmed with the selected provider.
- 2) The Clerk would work with the provider to coordinate an appropriate time to transition from the existing process to a new provider.

Recommendations

- While cost and time savings are relevant considerations, the primary justification for outsourcing payroll is risk mitigation.

The Council is at risk of:

- Failing to process payroll in the absence of the Clerk/RFO
- Making incorrect payroll submissions due to limited in-house expertise

Council is asked to:

Approve engagement of a payroll bureau subject to:

- Within budget
- Receipt of a satisfactory reference
- Assurance that:
 - Payroll data is securely stored
 - Systems comply with GDPR
 - Backup and recovery arrangements are robust
 - Privacy requirements are fully met

Appendix A – Payroll Process Overview

Systems Utilised

- Microsoft 365 Spreadsheet software
- HMRC Government Gateway
- HMRC Basic PAYE Tools
- NEST Pension Portal
- Online banking systems (Handelsbanken)

Process Description

The payroll process consists of a series of structured stages carried out across the systems identified above.

1. Spreadsheet Management

Payroll records are maintained and updated within a spreadsheet. This includes:

- Recording and updating employee payroll data
- Reviewing any changes to pay, including adjustments and amendments

2. HMRC Government Gateway

The Government Gateway is accessed to ensure compliance with HMRC requirements. Activities include:

- Reviewing tax code updates
- Monitoring notifications and communications from HMRC
- Confirming payment contributions

3. HMRC Basic PAYE Tools

HMRC Basic PAYE Tools are used to administer and process payroll calculations. Key tasks include:

- Updating employee information
- Calculating payroll liabilities
- Producing payslips
- Submitting Real Time Information (RTI) returns to HMRC

4. NEST Pension Portal

Pension contributions are managed through the NEST platform. This involves:

- Updating contribution schedules
- Submitting pension data
- Confirming and arranging contribution payments

5. Online Banking

Financial transactions relating to payroll are executed via online banking systems. This includes:

- Setting up and processing employee salary payments
- Making payments to HMRC and NEST
- Completing all required payment authorisations

Approval Process

- All payroll-related payments are subject to review and approval by an authorised councillor prior to processing.