



**LYME REGIS TOWN COUNCIL**

**Employee Handbook**

**~~April 2018~~ February 2022**

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### **This Employee Handbook**

This employee handbook is designed to provide employees with information, policies and procedures affecting their employment. It outlines the council's position and procedures that should be followed if an employment matter or query arises or if an employee is dissatisfied with an aspect of their employment.

It includes, where appropriate, the Key National Provisions set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (the Green Book) which has been the subject of consultation with representatives of the three trade unions represented on the National Joint Council; UNISON, GMB and TGWU.

Employees should refer to this handbook alongside their contract of employment. They are expected to adhere to the expectations, standards and guidelines set out within these documents.

The council will keep employees informed of any changes to the content of this handbook by way of written individual or general notification.

Employees are responsible for reading, understanding and complying with the provisions of this handbook. This handbook does not form part of an employee's contractual terms and conditions.

### **The Principles of the National Joint Council**

Set out below are the principles of the National Joint Council (NJC) as they appear in the Green Book:

1. The National Joint Council represents local authorities in the United Kingdom and their employees (other than those for whom there are alternative arrangements) and other authorities of equivalent status. We are jointly committed to the local democratic control of services to the community as the primary role of local government. Our principal role is to reach agreement, based on our shared values, on a national scheme of pay and conditions for local application throughout the UK.
2. The National Joint Council's guiding principles are to support and encourage:
  - (a) high quality services delivered by a well-trained, motivated work force with security of employment. To this end local authorities are encouraged to provide training and development opportunities for their employees;
  - (b) equal opportunities in employment: equality as a core principle which underpins both service delivery and employment relations: and both the removal of all discrimination and promotion of positive action:
  - (c) a flexible approach to providing services to the community, which meets the needs of employees as well as employers: and
  - (d) stable industrial relations and negotiation and consultation between local authorities as employers and recognised trade unions.
3. The NJC has a strong commitment to joint negotiation and consultation at all levels, and to this end encourages employees to join and remain in recognised unions. Co-operation between employers, employees and unions will help ensure the successful delivery of services. Local authorities are therefore encouraged to provide facilities to allow trade unions to organise effectively for individual and collective representation.

## Working Arrangements

### Leave

#### *Annual Leave*

Details regarding personal entitlement to annual leave, public holidays and extra statutory days are detailed within an employee's personal contract of employment. Requests for annual leave should be routed initially through the employee's manager for approval. The employee's manager is responsible for informing the ~~finance manager to leave records~~ support services manager to update leave records.

#### *Calculating Leave Entitlement*

For the purposes of calculating leave (annual and public and extra statutory holidays) entitlements may, where necessary, be expressed in hours over the leave year.

#### *Leave for Public Duties*

Paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings, the employee should claim and pay the allowance to the employing authority.

In the event of being summoned to attend jury service, an employee must notify their manager immediately on receipt of the jury summons, a copy of which should be provided to the council, giving details of the dates they are required to attend court.

If an employee is retained on jury service for a prolonged period, they have an obligation to notify the council and must keep in regular contact throughout their period of jury service. Employees must return to normal working immediately following their release from Jury duties.

#### *Time Off for Medical Screening*

Necessary paid time off will be granted for the purpose of cancer screening.

#### *Special Leave*

The town clerk is authorised to grant special leave for all employees on unforeseeable compassionate grounds of up to 10 days' paid and 10 days unpaid in any leave year but this paragraph should not be interpreted as implying that payment will be made in respect of any such period of absence.

#### *Emergency Time Off for Dependents*

Employees are entitled to take a reasonable amount of unpaid/~~paid~~ time off during their working hours to take necessary action for a dependent when an emergency occurs, for example:

- to provide assistance when a dependant falls ill, gives birth or is injured or assaulted
- to make arrangements for the provision of care for an ill or injured dependant
- in consequence of the death of a dependant
- because of the unexpected disruption or termination of arrangements for the care of a dependant
- to deal with an incident which involves their child and which occurs unexpectedly while the child is at school or other educational establishment.

Employees must tell their manager the reason for their absence as soon as reasonably practicable, as well as how long they expect to be absent. This is envisaged as being no more than one or two days maximum.

A dependant is a spouse, child, parent or person who lives with the employee other than being their employee, tenant, lodger or boarder. It is also any person who reasonably relies on the employee for assistance when he or she falls ill or is injured or assaulted, or who relies on the employee to make arrangements for the provision of care in the event of illness or injury.

### **Pay and Grading**

The pay and grading of jobs must be fair and non-discriminatory, complying with equal pay legislation and associated codes of practice. The job evaluation scheme which has been developed jointly for local government is in Part 4 of the National Agreement.

The council will continue to rely on the national pay negotiating machinery and will therefore continue to define salary grades by references to spinal column points. ~~A copy of the revised spinal column will be provided to all employees on an annual basis.~~ Confirmation of employees' spinal column points will be provided to them on 1 April each year.

Increments will be paid on the anniversary in each year of their original appointment or promotion until the maximum of the employee's scale is reached subject to the following conditions:

- (a) increments may be accelerated within an employee's scale at the discretion of the council on the grounds of special merit or ability or attainment of a level 3 qualification or above, subject to the maximum of the scale not being exceeded;
- (b) increments may be withheld following an adverse report on an employee, subject to a right of appeal to the Human Resources Committee. Any increment withheld may be paid subsequently if the employee's services become satisfactory.

Any employee required to undertake some or all of the duties of a higher graded post for a period of at least four weeks will receive an enhancement of salary of a proportion appropriate to the range of additional duties covered.

An employee dissatisfied with the grading of their job is entitled to appeal for a reconsideration of the grading. ~~Procedures will be agreed locally to~~ The grievance policy and procedure will deal with such appeals.

Posts paid above the maximum of the pay spine are within scope of the NJC. The pay levels for such posts are determined locally, but once fixed are increased in line with agreements reached by the NJC.

### **Continuous Service**

For the purposes of entitlements regarding annual leave, the Occupational Sickness Scheme and the Occupational Maternity Scheme continuous service will include continuous previous service with any public authority to which the ~~Redundancy Payments Modification Order (Local Government) 1983 (as amended)~~ Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 applies.

Where an employee returns to Local Government service following a break for maternity reasons, she will be entitled to have previous service taken into account in respect of the sickness and maternity schemes, provided that the break in service does not exceed eight years and that no permanent paid full-time employment has intervened. For the purpose of the calculation of entitlement to annual leave, the eight-year time limit does not apply.

## **Working Arrangements**

The standard working week for all employees is 37 hours; the actual working times vary and are subject to individual agreement with the different groups of employees.

Members of staff working non-standard hours must submit weekly timesheets to their manager for authorisation and referral to the finance ~~manager~~ team.

Any employee required to return to work in response to an emergency call out will be paid for all time worked (including travelling time) at overtime rates.

## **Part-Time Employees**

Part-time employees shall have applied to them the pay and conditions of service pro-rata to comparable full-time employees in the same authority, except for:

- (a) training and development – where part-time employees should have access equal to that of full-time employees and when on training courses outside their contracted daily hours shall be paid on the same basis as full-time employees.

## **Temporary Employees**

Temporary employees shall receive pay and conditions of service equivalent to that of permanent employees.

## **Time Off for Appointments**

Where possible, medical and dental appointments should be made outside working hours, however it is appreciated that this is not always possible and consideration will be given if employees need to attend such appointments, while also having regard to the council's duties under the Equality Act 2010. Employees must request time off for appointments from their manager as far in advance as reasonably possible.

## **Car Allowance**

The council will pay allowances to employees in respect of their use of personal vehicles for council purposes in accordance with the NJC rates, which may change from time to time, as true reimbursements of expenditure incurred and therefore able to be disregarded for income tax purposes.

## **Use of Council Vehicles**

Employees may be required to use a council vehicle in the course of their duties. Employees are expected to act within the law when using a vehicle for such purposes and should hold a current driving licence as well as relevant insurance. Employees should notify their manager immediately of any charges or driving offences which are brought against them.

Employees may be required to submit up-to-date copies of their driving licence and insurance details or allow the council to access their driving licence details on a regular basis or when there is any change to the details on the licence, such as the addition of penalty points.

Smoking in a council vehicle is not permitted. Any breach of this rule may result in disciplinary action being taken.

Employees must not use a mobile phone ~~(or hands-free device)~~ when using a council vehicle.

Employees will be responsible for the payment of any fines or penalties received while driving a council vehicle.



Employees should report any accidents they are involved in or damage to a council vehicle as soon as it occurs. An employee may be deemed liable for damage to a council vehicle while in their care and the council may make a deduction from their pay to cover any such damage as necessary.

If an employee wishes to use a council vehicle for personal use, they must obtain permission from the town clerk in advance. The employee may be charged for fuel used during such personal use and will be held responsible for any damage to the vehicle while in their care.

The provision of a council vehicle is entirely at the discretion of the council and the vehicle may be withdrawn or the conditions under which an employee are entitled to use it may be changed at any time. ~~In particular, the council reserves the right to retain the vehicle for council use while the employee is absent from work.~~

If an employee is disqualified from driving and a significant proportion or all of their duties require them to hold a valid driving licence, the council reserves the right to terminate their employment where suitable alternative employment is not available.

### **Use of Personal Vehicles for Council Business**

Employees may be required to use their own vehicle to travel in the course of their duties. Employees are expected to act within the law when travelling for business purposes.

Employees are expected to insure their vehicle correctly for business purposes and are responsible for ensuring this.

Employees must not use a mobile phone ~~(or hands-free device)~~ when using a vehicle for business purposes.

Employees should hold a current driving licence. They may be required to show their driving licence and submit up-to-date copies of their licence or details on a regular basis or when there is any change to the details on the licence, such as the addition of penalty points.

Employees should notify their manager immediately of any charges or driving offences which are brought against them or any changes to their driving licence. Employees will be responsible for the payment of any fines or penalties received while driving on council business.

Employees should report any accidents or incidents that an employee is involved in or witnesses when travelling for business purposes as soon as they occur.

If an employee is disqualified from driving and a significant proportion or all of their duties require them to hold a valid driving licence and drive for business purposes, the council reserves the right to terminate their employment where suitable alternative employment is not available.

### **Reimbursement of Expenses**

Expenses will be paid in accordance with NJC rates.

The council expects any journey involving a round trip of over 100 miles to be undertaken by public transport whenever practicable and, subject to the later provisions of this paragraph, will reimburse actual travelling and other expenses incurred by any employee in the execution of their duty outside Lyme Regis, subject to the production of documentary evidence of the expenditure incurred, to travel expenses not exceeding the costs of second class rail fare, and to expenses claimed in respect of meals not exceeding the levels separately notified which will be increased annually in line with the increase in the Retail Price Index.

Employees travelling by rail who have no alternative but to take a meal in a restaurant car will have the actual cost of the standard meal reimbursed.

In the event of an overnight stay being required in accommodation not previously booked by the council, the council's liability will be limited to the cost of bed, breakfast and evening meal in a 3-star hotel in the same town, where practicable.

Employees will be reimbursed the additional costs arising from a compulsory change in their place of work, according to locally negotiated schemes establishing approved items of expenditure and periods of reimbursement.

Where the council requires an employee to possess a heavy goods vehicle, passenger service vehicle and/or other special driving licence, the council shall meet the renewal costs.

### **Indemnity of Employees**

The council maintains comprehensive insurance cover for all its employees in respect of accident or assault while on official business. Details of the cover maintained are available on request from the council offices.

### **Dress, Uniform and Appearance**

Employees are encouraged to dress practically, sensibly and respectfully in accordance with the demands of their role. No offensive or impractical clothing, jewellery or footwear should be worn.

If it is a requirement of an employee's role, the council will provide suitable clothing, uniform and personal protective equipment. This should be worn at all times by the employee when undertaking their duties and individual employees are responsible for the laundering of it. Any such clothing provided by the council should not be worn other than in direct connection with employees' work.

Any protective and/or uniform clothing provided by the council must be returned in good and clean condition (fair wear and tear only excepted) when the employee to whom it has been issued leaves the council's service.

If an employee is unsure what clothing is practical or acceptable, they should speak with their manager in the first instance.

### **Trade Union Facilities**

Authorities shall provide the recognised trade unions with facilities necessary to carry out their functions, including paid leave of absence to attend meetings concerned with the work of the NJC and provincial councils and the operation of a check-off system whereby, with the consent of the individual, trade union dues are deducted from pay.

### **Smoking and Use of E-cigarettes**

For health and safety reasons, a no smoking policy applies to all council vehicles and council buildings including sheds, stores and workshops. This includes the use of e-cigarettes.

There are no allocated smoking breaks provided to employees, who must use their agreed breaks to undertake such activity.

### **Keyholder duties**

Some employees may have designated keyholder responsibilities. These employees will be required to undertake their keyholding duties in a sensible and responsible manner, opening and closing and providing access to premises that are usually locked.

Any employee who is given responsibility for council property, including keys, should ensure the equipment is used for the purpose intended, is kept safe and secure and should not abuse their position as keyholder.

### **Use of personal mobile phones**

Employees must ensure use of mobile phones for personal matters are kept to a minimum while at work so they do not interfere with work duties. Excessive time spent on personal calls, messages and other matters may be dealt with under the council's disciplinary procedure.

### **Confidential Information**

During the course of employment employees will obtain, have access to, be entrusted with and use information belonging to the council or a third-party organisation for whom the council are undertaking work on behalf of as part of an agency agreement, that is highly confidential and critical to either organisation's present and future interests and continued operation.

Employees agree and acknowledge that all such information and knowledge, whether or not in writing, concerning the council or a third party is the exclusive property of the council or third-party organisation for whom the council is undertaking work on behalf of.

Confidential Information includes but is not limited to business information, financial information, personal details (including addresses and telephone numbers), client information, affairs of the council, charging structures, marketing initiatives and strategy, business processes, plans or dealings, technical data, existing and potential projects, research plans or reports, sales specifications or targets, business developments and service user information, reports, sales and marketing programmes, policies and procedures, price lists or pricing policies, source codes, computer programs, computer systems, software, designs, research activities, any document marked 'confidential' (or with a similar expression), any information which you have been told is confidential or which you might reasonably expect the council or a third party would regard as confidential or information which has been given in confidence to the council or a third by another party.

Either during or after employment, employees should not disclose, either directly or indirectly, any confidential information to any third party, including the press and public, if it would place the council at a disadvantage and would damage its business.

Employees should also not use confidential information for any purpose other than carrying out their duties unless and until such confidential information is or has become public knowledge.

This does not apply to any disclosure authorised by the council or required in the ordinary and proper course of employment or as required by the order of a court of competent jurisdiction or an appropriate regulatory authority or otherwise required by law. It does not apply to any information, or confidential information that an employee can demonstrate was known to them prior to the commencement of their employment with the council or a protected disclosure by an employee, in accordance with the provisions of the Public Interest Disclosure Act 1998.

Employees shall maintain all necessary and proper security precautions when in the possession of confidential information and shall not remove from the council's premises, or allow others to remove from the council's premises, any records of confidential information only to the extent it is strictly necessary for the proper performance of their or the relevant person's duties to the council. Employees must comply with the council's standards relating to confidentiality of information in electronic form.

Employees must, at the request of the council at any time, promptly delete all confidential information from any ~~computer disks, tapes~~ external data storage device or other reusable material in their possession or under their control and destroy all other documents and tangible items in their possession or under their control which contain or refer to any confidential information.

Please refer to the council's information policy for further information and guidance.

## **Code of Conduct for Staff**

~~In addition, the council operates a code of conduct, which is consistent with the Code of Conduct for Local Government Employees published by the Local Government Association and the Local Government Management Board.~~

### **1. Introduction**

- 1.1 The public are entitled to expect the highest standards of conduct from the town council and its staff. Confidence in the integrity of staff will be threatened by any suspicion, whether well-founded or not, that staff may be influenced, in the performance of duties, by improper motives.
- 1.2 This code is closely based upon a model Code of Conduct for Local Government Employees which has been recommended to local authorities by the Local Authority Management Board. It has been adopted by the town council as setting out the standards of conduct expected of its employees. The council has a disciplinary policy and procedure and a grievance policy and procedure in accordance with Paragraphs 2.16 and 2.17 of the Key National Provisions.
- 1.3 Whilst it is not in itself a disciplinary code, any failure to follow the standards it sets out may, depending upon the circumstances, constitute misconduct which could lead to disciplinary action, including dismissal.
- 1.4 This code has due regard for upholding the 10 general principles of public life, appendix A: selflessness, honesty/integrity, objectivity, accountability, openness, leadership, personal judgement, respect for others, duty to uphold the law and stewardship.

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### **2. Who is the code aimed at?**

- 2.1 The code applies to all employees of Lyme Regis Town Council.

~~2.2 Inevitably some of the issues it covers will particularly affect the town clerk, deputy town clerk and operations manager. However, the code is intended to cover all employees who have a contract of employment with the town council.~~

### **3. General Obligations**

- 3.1 Employees should always act with good faith towards the town council's business and should promote its interests. Employees should not do anything adversely to affect the town council's reputation by any means. This includes through the use of websites, social networking, or other social media in and outside of work.

### **4. Standards**

- 4.1 Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to elected members and to fellow employees with impartiality. Employees will be expected, without fear of recrimination, to bring to the attention of their line manager any deficiency in the provision of service. Employees must report to their line manager any fraud, corruption or other malpractice, any impropriety or any breach of procedure. If employees find themselves in difficulty in doing this, they should report this to the town clerk.
- 4.2 Lyme Regis Town Council expects high standards of personal conduct from its employees at work and when representing the council externally, who would show courtesy, efficiency, reliability, sobriety and punctuality.

### **5. Disclosure of Information, Confidentiality and Data Protection**

5.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. The town council will generally wish to be open about other types of information too.

5.2 However, employees should not disclose personal or financial information about any other person, which they obtain in the course of their duties to the town council, other than in the course of those duties.

5.3 Employees should respect the confidentiality of reports which are marked ~~'Exempt'~~ or 'Confidential', and of any other information which they receive under an obligation of confidence.

5.4 Employees should not use any information obtained in the course of their employment for personal gain or benefit. Nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from an elected member which is personal to that member and does not belong to the authority should not be divulged by the employee without the prior approval of that elected member, except where such disclosure is required or sanctioned by the law.

## **6. Political Neutrality**

6.1 Employees serve the town council as a whole. It follows that they must serve all elected members and not just those who may constitute a 'controlling group'. Employees must ensure that the individual rights of all members are respected.

6.2 Employees should not, in their capacity as council employees, attend meetings of political groups, unless the occasion has been specifically authorised by the town clerk. They should take care not to compromise their political neutrality.

6.3 Some employees occupy posts which are 'politically restricted', under the provisions of the Local Democracy, Economic Development and Construction Act 2009. This will be stated in their contract of employment. These employees are disqualified from membership of a local authority, other than a parish or community council, and from being an MP or MEP: they are also subject to restrictions in other political activity.

6.4 Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

## **7. Relationships**

### **7.1 Elected Members**

Employees are responsible to the town council through the town clerk. For some, their role is to give advice to elected members and all are there to carry out the town council's work. Mutual respect between employees and elected members is essential to good local government. Close personal familiarity between employees and elected members can damage the relationship and prove embarrassing to other employees and elected members and should be avoided.

### **7.2 The Local Community and Service Users**

Employees should always remember their responsibilities to the community they serve and should provide courteous, efficient and impartial service delivery to all groups and individuals within that community.

### **7.3 Contractors**

7.3.1 All relationships of a business or private nature with external contractors, or potential contractors, should be made known in writing to the town clerk. Orders and contracts

must be awarded on merit and in accordance with the town council's Standing Orders and Financial Regulations, normally by fair competition against other tenderers. No special favour in the tendering process should be shown to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

- 7.3.2 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with a contractor, should declare that relationship in writing to the town clerk.

## **8. Appointment and other Employment Matters**

- 8.1 Employees involved in appointments should ensure these are made on the basis of merit. It is unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. To avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with ~~him or her~~ them.
- 8.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, or with whom they have a close personal relationship outside work.

## **9. Private Work**

- 9.1 Full-time employees may not, without the previous approval of the town clerk, hold any other paid appointment or conduct any paid business. Such approval will be withheld if such work would conflict with or have a detrimental effect on the town council's business. In the case of the town clerk, any request would need to be considered by the Human Resources Committee.
- 9.2 Part-time employees must declare to the town clerk details of any other paid employment or business. Such employment must not conflict with or have a detrimental effect upon the town council's business.
- 9.3 No private work may be undertaken in the town council's time, or on the town council's premises, or ~~on~~ using the town council's equipment, without the prior ~~written~~ approval of the town clerk.
- 9.4 If in the course of an employee's work with the town council copyright work is created, that work becomes the property of the town council. Similarly, if in the course of an employee's work a patentable invention is created, or a design which is capable of registration is created, then this will also become the property of the town council, and the employee will be required to co-operate in the registration formalities.

## **10. Personal and Conflicts of Interests**

- ~~10.1 Employees must declare in writing to the town clerk any non-financial interests that they consider could bring about conflict with the authority's interests.~~
- 10.2 Employees must declare in writing to the town clerk any financial interest which could conflict with or support the authority's interests
- 10.3 Under Section 117 of the Local Government Act of 1972, employees must declare any financial interest which they or their spouse may have in any existing or proposed contract with the town council. Failure to do so is a criminal offence.
- 10.4 Non-financial interests or relationships which could cause potential conflict must also be declared, e.g. acting as a school governor, or involvement with an organisation or pressure group which may oppose the town council's policies.

10.5 Employees should declare to the town clerk membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct. For example, employees should declare in writing to the town clerk membership of freemasonry.

## **11. Equality Issues**

11.1 The council promotes fairness and equality for all, operating with professionalism, integrity and openness. Throughout its policies and practice, the council aims to make sure it does not knowingly create an unfair disadvantage for anyone, directly or indirectly. Employees are expected to uphold this principle.

11.2 Employees should ensure policies relating to equality issues as agreed by the council are complied with in addition to the requirements of the law.

11.3 All members of the local community, customers and other employees have a right to be treated with fairness and equality.

11.4 Employees should ensure no person or group of people receiving services from, or applying for employment or contracts with the council, will be treated less favourably than any other person or group of people because of their gender, sexual orientation, marital or civil partnership status, race, colour, ethnic or national origin, nationality, religion or belief, political beliefs, disability, age, class, responsibility for dependents, part time or shift workers, unrelated criminal offences, or any other matter which causes a person to be treated with injustice.

## **12. Tendering**

12.1 Employees must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

12.2 Employees who are privy to confidential information on tenders or costs should not disclose that information to any unauthorised party or organisation.

12.3 Employees should ensure no special favour is shown to current ~~to recent or~~ former employees or their spouses, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

## **13. Corruption**

13.1 Employees must be aware that it is a serious criminal offence ~~for them to~~ corruptly ~~to~~ receive or ~~be~~ given any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

13.2 Employees should report to the town clerk any corrupt offer that is made to them.

13.3 Officers have a duty to raise any issues where they have reason to believe fraud or corruption of any kind is involved. The member or officer should also notify the town clerk who will then advise on notification to any regulatory agency such as the police or external audit in appropriate cases.

## **14. Use of Financial Resources**

14.1 Employees must ensure they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money for the council, the local community, and any public or charitable funds, and to avoid legal challenge to the authority.



14.2 If employees are in charge of funds or resources, they must only use them for the purpose intended in a responsible and lawful manner. Employees should seek to protect such funds and resources from abuse, theft or waste.

## **15. Hospitality**

15.1 Employees should not accept offers of hospitality unless there is a genuine need to impart information or represent the town council in the community. Invitations to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should not be accepted unless first authorised ~~in writing~~ by the town clerk.

15.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the town council.

15.3 Employees should not accept significant personal gifts from contractors or outside suppliers, although employees may keep insignificant items of token value such as pens, calendars, and diaries, up to a maximum value of £10.

15.4 When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the town council may be taking affecting those providing the hospitality.

15.5 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear that the hospitality is corporate rather than personal, and where the town clerk gives consent in advance and where any purchasing decisions are not compromised. Where visits to inspect equipment or other merchandise are required, employees should ensure the town council meets the cost of such visits so as to avoid jeopardising the integrity of subsequent purchasing decisions.

## **16. Sponsorship - Giving and Receiving**

16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

16.2 Where the town council wishes to sponsor an event or service, neither an employee nor any spouse, relative or close associate must benefit from such sponsorship in a direct way without there being full written disclosure to the town clerk. Similarly, where the town council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure impartial advice is given and that there is no conflict of interest involved.

**17. Other Documents**

17.1 The town clerk must ensure employees are aware of the town council's Standing Orders, Financial Regulations and of any other relevant policies and procedures and they should comply with them.

**18. Generally**

18.1 This code cannot cover every eventuality. Its purpose is to identify the standards expected of employees. It does not replace the general requirements in law.

18.2 The town council's Code of Conduct for Members contains advice which is also relevant to employees, outlining that it is not enough to avoid actual impropriety. A person should avoid any occasion for suspicion and any appearance of improper conduct.

18.3 Any employee who is uncertain as to the conduct expected of them in a particular situation must consult their line manager or the town clerk.

18.4 If an employee becomes aware of any deficiencies in service delivery or procedures or improprieties that breach this code, they should bring it to the attention of the town clerk. If they feel unable to discuss or refer the matter to the town clerk, an employee can discuss the issue with the chairman of the Human Resources Committee or deploy the council's Whistle-Blowing Policy.

## **Code of Conduct for Staff – Appendix A**

### **The 10 General Principles of Public Life**

#### **1. Selflessness**

Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

#### **2. Honesty and Integrity**

Members should not place themselves on situations where their honesty and integrity may be in question, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.

#### **3. Objectivity**

Member should make decision on merit, including when making appointments awarding contracts, or recommending individuals for rewards or benefits.

#### **4. Accountability**

Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

#### **5. Openness**

Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

#### **6. Personal Judgement**

Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

#### **7. Respect for Others**

Members should promote equality by not discriminating unlawfully, for example against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

#### **8. Duty to Uphold the Law**

Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

#### **9. Stewardship**

Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

## **10. Leadership**

Members should promote and support these principles by leadership and by example, and should always act in a way that secures or preserves public confidence.

## **Recruitment and Selection Policy**

### **Purpose**

To help the town council attract high calibre employees

To help to ensure recruitment is undertaken in a transparent, fair and non-discriminatory manner

### **Policy and Legal Context**

That the town council's recruitment practices comply with legislation on equality and diversity, the employment of ex-offenders, disclosure and debarring, eligibility to work in the UK and data protection.

## **Recruitment and Selection Procedure**

1. When a vacancy arises, the Human Resources Committee or the recruiting manager must consider whether the post is still required and, if so, do the functions of the post need to be carried out in the same way.
2. If changes are required to the functions of the post, these must be reflected in amendments to the job description and the person specification.
3. If the changes to the job description and person specification materially alter the scope and responsibility of the job, then the post must be re-evaluated.

### **Authorisation**

4. Recruitment for the posts of town clerk, deputy town clerk, operations manager, ~~and~~ finance manager and support services manager will be authorised and undertaken by the Human Resources Committee. For the recruitment of the town clerk, the chairman of the Human Resources Committee will take responsibility for complying with this procedure.
5. Recruitment for all other posts will be authorised by the town clerk and undertaken by the manager of the department where the vacancy has arisen. The recruiting manager will take responsibility for complying with this procedure.
6. ~~If there is no change in remuneration and the cost of the post is included in the town council's budget, recruitment can proceed as soon as authorisation is obtained.~~
7. If there is an increase in remuneration, then this must be considered by the Human Resources Committee and approval must be sought from the Full Council.

### **Advertising**

8. All vacancies will be advertised internally and externally. In determining where to advertise a vacancy, managers must consider the skills, knowledge and experience required for the post, along with the cost of advertising.
9. For the majority of vacancies managers should consider one local paper, the town council's website, ~~the Job Centre social media~~, and any other place deemed necessary. If appropriate, managers should liaise with local schools, colleges and career services about vacancies.
10. For the posts of town clerk, deputy town clerk, operations manager, ~~and~~ finance manager and support services manager, consideration should be given to advertising these vacancies regionally or nationally.
11. When drafting an advert, managers should summarise the duties, skills, knowledge and experience required for the job. The advert should include closing and interview dates, a contact for returning applications to and a contact for further information. All adverts must include the Lyme Regis Town Council logo and refer applicants who want to download an application pack to the town council's website. ~~All adverts to be authorised by the town clerk or the deputy town clerk.~~

### **The Application Pack**

12. Application packs should be prepared before a job is advertised. They must include a copy of the advert, details of the interview and selection processes, the job description, person specification, structure chart, an application form and an equal opportunities monitoring questionnaire. A statement on the recruitment and employment of ex-offenders, and eligibility

to work in the UK must also be included in the pack. A CV will also be accepted in addition the application form.

### Recruitment and Employment of Ex-Offenders

13. The town council will consider ex-offenders for jobs that are not exempt from the Rehabilitation of Offenders Act 1974. There are currently no town council jobs that are categorised as exempt, so ex-offenders can apply for any vacancy.
14. ~~When applying for a job, the town council will ask applicants to disclose any unspent convictions; applicants will not be expected to disclose any spent convictions. When a conditional offer is made, the town council will ask applicants to disclose any unspent convictions; applicants will not be expected to disclose any spent convictions.~~
15. If an applicant has a conviction that is not spent and if the nature of the offence is relevant to the job they have applied for, the town council will consider the circumstances and decide whether or not to proceed with the application.

### Disclosure and Barring Service Checks

16. The Disclosure and Barring Service (DBS) is the organisation formed by the merger of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).
17. There are no jobs within the council that require DBS checks.

### Short-listing

18. Short-listing criteria will be based on the person specification and job description requirements.
19. Candidates who have not been selected for interview will be written to within three days of the decision.

### Interviews

20. Candidates selected for interview will be contacted by telephone and interview arrangements will be confirmed in writing.
21. Candidates will be asked if they require any assistance or special facilities in order for them to be able to attend the interview.
22. Candidates will be asked to bring along to the interview:
  - documentation to prove their eligibility to work in the UK, i.e., British passport, full length British birth certificate, relevant work permit paperwork, evidence of 'settled status' under the EU Settlement Scheme.
  - if the post entails driving, candidates will be asked to bring their driving licence with them to the interview.
  - copies of qualifications they have cited on their application.
23. Photocopies of these documents will be taken.
24. Draft interview questions that correlate with job description and person specification requirements must be drafted by the chairman and circulated to the panel. -circulated by the chairman of the panel to fellow panel members at least three working days before the interview. The final list of questions will be agreed at a pre-meeting before the interviews take place.

25. Following discussion with other panel members, the chairman of the panel will determine whether the interview process should include testing: any testing that is undertaken must be commensurate with the job that is being recruited to.
26. The interview panel for the post of town clerk will consist of members of the Human Resources Committee. The interview panel for the deputy town clerk, operations manager, ~~and~~ finance manager and support services manager will consist of members of the Human Resources Committee and the town clerk. The panel must consist of a minimum of three.
27. The interview panel for all other positions must consist of at least one manager. This manager should chair the panel and take responsibility for ensuring this procedure is adhered to.
28. The panel must consist of at least two ~~members~~ people: the second panel member can be a member, manager or a team member.
29. The responses given by candidates to the interview questions will be scored ~~on a scale 1-5~~ and added up at the end of the interview.
30. The panel will assess candidates' suitability based on their responses to the interview questions, their application form and any test results.
31. Based on this, individual panel members will rank candidates in order of preference. The panel will consider each panel members' order of preference and agree a joint order of preference. In doing so, the panel will identify their preferred candidate, other candidates assessed as appointable and candidates assessed as not appointable.

#### **Appointments**

32. The successful candidate will normally be given a verbal offer of appointment within 24 hours. Written confirmation of this offer will follow within three working days.
33. The written offer will detail starting salary, and confirm that the appointment is subject to satisfactory references, the completion of a satisfactory probation period, ~~and~~ a satisfactory pre-employment health questionnaire and a criminal record declaration form: a pre-employment health questionnaire and a criminal record declaration form will be included with the offer letter.
34. If the preferred candidate declines the offer of appointment, the vacancy will be offered to the second appointable candidate on the list. This process can be applied until such time as there are no appointable candidates.
35. If for any reason there is no appointable candidate, the post will be re-advertised.
36. Appointable candidates who are unsuccessful will be informed that if the same or a similar post is available within 12 months, they may be considered for that vacancy.
37. All unsuccessful candidates will be notified in writing and offered feedback on their interview.

#### **Approval of appointments**

38. Approval of the appointment of the town clerk, deputy town clerk, operations manager, ~~and the~~ finance manager and the support services manager must be obtained from the Full Council.
39. All other appointments must be approved by the town clerk.



## **Employee Induction Policy**

### **1. Purpose**

- 1.1 To help new employees develop their skills, knowledge and competencies to meet the requirements of their job description and person specification.

### **2. Policy Context**

- 2.1 That new employees understand:
  - 2.1.1 the town council's objectives and values
  - 2.1.2 the town council's policies and procedures
  - 2.1.3 the operational requirements of the town council

## Employee Induction Procedure

### 1. Introduction

- 1.1 This procedure supports the Employee Induction Policy and should be read in conjunction with this policy
- 1.2 The purpose of the induction programme is to help ensure new employees:
  - 1.2.1 have the skills and knowledge to undertake their job
  - 1.2.2 are competent in undertaking their duties
  - 1.2.3 understand the town council's objectives and values
  - 1.2.4 understand the town council's policies and procedures
  - 1.2.5 understand the operating requirements of the town council
- 1.3 The management of the induction programme is the responsibility of the line manager; in the case of the town clerk, this is the responsibility of the chairman of the Human Resources Committee. The induction programme must be drafted in consultation with the new employee and issued within 1 week of the employee's start date.
- 1.4 The programme will be informed by the new employee's experience, their job description and person specification, and any skills and knowledge gaps identified by the employee or manager.
- 1.5 The programme will detail objectives and timescales.
- 1.6 The content of the programme and progress against objectives will be reviewed after one month, three months, six months and one year.
- 1.7 The detail of each induction programme will vary, but there are some essential work-based policies, procedures and practices which must be covered in the employee's first week of employment. In this instance, the achievement of these objectives is the responsibility of the employee's manager.

### 2. Day One

- 2.1 New employees will be issued with a written statement of employment particulars, stating the main conditions of employment, known as the 'principal statement'. The principal statement must include:
  - 2.1.1 the employer's name
  - 2.1.2 the employee's or worker's name, job title or a description of work and start date
  - 2.1.3 how much and how often an employee or worker will get paid
  - 2.1.4 hours and days of work and if and how they may vary (also if employees or workers will have to work Sundays, nights or overtime)
  - 2.1.5 holiday entitlement (and if that includes public holidays)
  - 2.1.6 where an employee or worker will be working and whether they might have to relocate
  - 2.1.7 if an employee or worker works in different places, where these will be and what the employer's address is
  - 2.1.8 how long a job is expected to last (and what the end date is if it's a fixed-term contract)

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2.1.9 how long any probation period is and what its conditions are

2.1.10 any other benefits (for example, childcare vouchers and lunch)

2.1.11 obligatory training, whether or not this is paid for by the employer

2.1.12 the date a previous job started if it counts towards a period of continuous employment (only applicable to employees).

2.2 New employees must be provided with information about sick pay and procedures, other paid leave e.g. maternity, paternity, and notice periods.

2.43 New employees must be given a copy of the town council's Health and Safety Policy and the content of this policy and any relevant procedures must be explained to them by their manager.

2.24 New staff must be issued with an identity badge.

2.35 Where relevant, mobile phones will be issued.

2.46 Office staff will be inducted in the basic operation of the telephone and computer systems; access to the computer system and all relevant accounts will be set up before the employee's first day of service.

2.57 External staff will be issued ~~with~~ with uniform and-personal protective equipment; sizes will be obtained before the employee starts work.

2.68 Where appropriate, office-based staff will be issued with uniforms; sizes will be obtained before the employee starts work.

### 3. Week One

~~3.1 A contract of employment will be issued. The line manager will discuss, in detail, the contract of employment with the employee~~

3.21 Employees will be given a tour of the office and town and introduced to their colleagues

### 4. Within two months

4.1 Employees will be provided with a wider written statement. This must include information about pensions and pension schemes, collective agreements, any other right to non-compulsory training provided by the employer, and disciplinary and grievance procedures.

4.2 Employees will be provided with the employee handbook.

### 4. Related Policies

4.1 Induction programmes aren't a substitute for performance appraisal. However, the two processes do complement each other and, as a consequence, they should cross-reference each other.

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## **Probation Policy**

### **1. Purpose**

- 1.1 To allow new employees a period of time to prove they are suitable for the post they have been appointed to.

### **2. Policy Context**

- 2.1 The town council's position on an employee's probation period is contained within their individual contract of employment

“Your employment is subject to the satisfactory completion of a six-month probation period. The council reserves the right to extend this period at its discretion.”

- 2.2 This policy should be read in conjunction with the employee induction policy.

## **Probation Procedure**

### **1. Introduction**

- 1.1 The town council recognises its responsibility to provide new employees with the training, resources and support to allow them to undertake their job. ~~To help achieve this, the town council approved an Induction Policy and Procedure in November 2012. Minor revisions to this procedure were undertaken in October 2015.~~ The council's Induction Policy and Procedure sits alongside the Probation Policy and Procedure.
- 1.2 The purpose of the town council's Probation Policy and Procedure is to assess the overall suitability of an employee to the position to which they have been appointed and to determine whether that employee should be offered a permanent position at the end of their probation period.

### **2. Probation Period**

- 2.1 A new employee's probation period starts on their first day of employment and normally lasts for six months. In exceptional circumstances, a new employee's probation period can be extended for a further three months. The decision to extend an employee's probation period rests with the ~~town clerk. This decision must be reported to the~~ Human Resources Committee.
- 2.2 If the employee whose probation period is being extended is the town clerk, a recommendation to this effect must be made to the Human Resources Committee by its chairman. The recommendation of the Human Resources Committee must be considered by the Full Council.
- 2.3 A probation period is not normally required by an existing employee who is promoted or undertakes a different job within the town council, or for temporary or agency staff who are in post for six months and are then appointed on a permanent basis-
- 2.4 As part of their offer of employment, all new employees must be notified in writing of the requirement to complete a satisfactory probation period. This requirement should also be included in the Contract of Employment issued to all new employees.
- 2.5 The outcome of an employee's probationary period must be reported to the Human Resources Committee.

### **3. Probationary Reviews**

- 3.1 Probation reviews will be undertaken by an employee's line manager. If the employee is the town clerk, the review will be undertaken by the chairman of the Human Resources Committee.
- 3.2 Probationary reviews will normally take place after one month, three months and six months and will be informed by an employee's job description, person specification and the objectives in their induction programme. The frequency of these meetings can be increased at the discretion of the manager.
- 3.3 The purpose of these meetings is to set standards and objectives, review the progress made by the employee, take steps to address any problems and to plan the employee's continuing development.
- 3.4 These review meetings should be a frank discussion between the employee and manager about all aspects of the employee's conduct, attitude and performance.
- 3.5 Areas of discussion should include; attendance, timekeeping, consistency of effort, communication and relationships, conduct and attitude, training needs, thoroughness and error rate, ability to organise workload and achieve deadlines, and future progress.

3.6 If performance is not at an acceptable level, this should be explained to the employee and assistance should be given to help them reach the required standard.

3.7 Clear and accurate written records must be maintained by the manager and these must be issued to the employee. After each meeting, the date of the next meeting should be agreed.

#### **4. Successful Completion of a Probation Period**

4.1 At the end of the probation period, the employee's manager will draft a report to the Human Resources Committee recommending that the employee is confirmed in post. The recommendation of the Human Resources Committee will be considered at the subsequent meeting of the Full Council.

4.2 The employee will be informed in writing of their manager's recommendation to the Human Resources Committee and the decision of the Full Council.

#### **5. Unsatisfactory Progress**

5.1 Managers must be clear with an employee if any shortcomings or significant issues occur during their probation period; an unsatisfactory six-month probation report should not come as a surprise to an employee.

5.2 Managers must inform the town clerk of any significant shortcomings that occur at any stage of an employee's probation period.

5.3 If the employee is the town clerk or anyone who reports directly to the town clerk, unsatisfactory progress must be reported to the Human Resources Committee.

#### **6. Termination of Employment during the Probationary Period**

6.1 Providing that any shortcomings or dissatisfaction have been brought to an employee's attention and confirmed in writing, termination of employment can take place at any time during the probation period, giving no less than one week's notice. Any decision to terminate an employee's employment during their probation period must be agreed by the town clerk, confirmed in writing and reported to the next meeting of the Human Resources Committee.

6.2 If the employee whose employment is being terminated is the town clerk, the decision must be made by the Human Resources Committee, following a recommendation from the chairman ~~chairman of the Human Resources Committee following consideration by the Human Resources Committee~~. Any ~~such~~ recommendation of the Human Resources Committee ~~must be considered at the subsequent meeting have the approval~~ of the Full Council.

#### **7. Appeal**

7.1 If an employee's employment is terminated during or at the end of their probationary period, they will receive notice in accordance with their contract of employment, i.e., one week. Consequently, any appeal that is considered is likely to take place after the employee's employment with the town council has ended.

7.2 Consequently, if an employee's appeal is successful, the decision of the town clerk or committee considering the appeal will be the re-instatement of the employee. In such instances, the council may consider whether it is appropriate to retrospectively pay the employee for any loss of earnings.

7.3 If an employee wishes to appeal against a decision to terminate their employment during or at the end of their probation period, they should do so by writing to the town clerk within five working days of receiving written confirmation that their employment is to be terminated, stating the grounds and reasons for their appeal.

- 7.4 The appeal will be considered by the town clerk within 10 working days. The employee will be notified, in writing, of the town clerk's decision within five working days of the hearing. The town clerk's decision is final.
- 7.5 If the employee reports directly to the town clerk, then they must appeal to the chairman of the Human Resources Committee within five working days of receiving written confirmation that their employment is to be terminated, stating the grounds and reasons for their appeal.
- 7.6 The chairman of the Human Resources Committee will arrange for the appeal to be considered ~~at the next meeting of the Human Resources Committee by a panel of three members of the Human Resources Committee.~~ The employee will be notified of the ~~Human Resources Committee's panel's~~ decision within five working days of the meeting. The decision of the ~~Human Resources Committee panel~~ is final.
- 7.7 The decision of the ~~Human Resources Committee panel~~ will be reported to the Full Council.
- 7.8 If the employee is the town clerk, ~~he/she~~ they must appeal to the Mayor/Deputy Mayor within five working days of receiving written confirmation that their employment is to be terminated, stating the grounds and reasons for their appeal; the appeal is to the Mayor/Deputy Mayor because the chairman of the Human Resources Committee will have made the recommendation not to confirm the appointment of the town clerk.
- 7.9 The Mayor/Deputy Mayor will arrange for the appeal to be considered by a panel of three members from the Full Council. The employee will be notified of the decision of the panel within five working days of the meeting. The decision of the panel is final.
- 7.10 The decision of the panel will be reported to the Full Council.

## Learning and Development Policy

### **1. Purpose**

- 1.1 To ensure members and employees are trained and sufficiently experienced to competently undertake their respective roles.
- 1.2 The policy recognises the importance of continuous learning to help members and employees improve the council's ability to perform at a level that is consistent with its purpose, values, objectives and operational requirements.

### **2. Associated Policies and Procedures**

- 2.1 This policy should be read in conjunction with the council's policies and procedures on employee induction, probation and performance appraisal.

### **3. Policy**

- 3.1 The council aims to ensure:
  - 3.1.1 there is a learning and development plan in place at the start of every financial year
  - 3.1.2 the overall impact of the learning and development plan is assessed by the Human Resources Committee at the end of each financial year
  - 3.1.3 the training and development plan supports the council's purpose, values, objectives and operational requirements
  - 3.1.4 ~~members~~ and employees have an annual appraisal which identifies learning and development needs
  - 3.1.5 approaches to learning and development include: on-the-job training and coaching, mentoring, shadowing, in-house events, external courses and seminars, vocational training and professional qualifications
  - 3.1.6 members and employees are enabled and encouraged to develop their personal potential and take responsibility for their own learning and development needs
  - 3.1.7 a budget for training and development is approved as part of the annual budget-setting process
  - 3.1.8 employees are given the opportunity to learn and become more experienced in their primary job
  - 3.1.9 employees are given the opportunity to learn and develop secondary skills associated with their primary job.
- 3.2 If an employee's course involves day release, time-off provision will be approved by the town clerk. Depending on the relevance and level of the course, part or all of the time off may qualify for payment.
- 3.3 If a member or employee is attending a course or seminar, travel, subsistence and accommodation will normally be paid for.
- 3.4 Where appropriate, an employees' progression through their pay scale may be linked to the completion of learning and development targets.



3.5 In accordance with guidance offered by the National Association of Local Councils and the Society of Local Council Clerks, the attainment of specific qualifications may be linked to an additional payment above an employee's position on their spinal column point range. Employees will be paid an additional spinal column points, ~~as per the table below: if they obtain a qualification during their employment with the council which is relevant to their job and that qualification is at a level 3 or above on the National Qualification Framework.~~

<del>Certificate in Local Council Administration or Certificate of Higher Education (first year)</del>	<del>1</del>
<del>Certificate of Higher Education, completion of level 1</del>	<del>2</del>
<del>Diploma of Higher Education, completion of level 2</del>	<del>3</del>
<del>Award of BA (Honours), completion of level 3</del>	<del>4</del>

3.6 ~~These increments should not only accelerate progress through the scale, but also increase the maximum. The council will give sympathetic consideration to equivalent qualifications from other institutions.'~~

3.67 If an employee embarks on a course of study and subsequently leaves the council employment, the council can reclaim the cost of the course at the following rate:

Period when notice is given	Percentage to be refunded to the council
During the course	100%
Up to 24 months	1/24 <sup>th</sup> of the course cost is deducted for each month worked after the course is completed
After 24 months	No refund

**4. Annual Appraisal System**

4.1 The council has an employee appraisal policy and procedure. The policy and procedure includes the identification of employees' learning and development requirements and any agreed plans to meet those requirements.

~~4.2 The learning and development policy extends the annual appraisal system to members, i.e., the Mayor and/or Deputy Mayor will meet with each member to assess their performance and, as part of this process, identify their learning and development requirements. The Mayor and Deputy Mayor's assessments will be carried out by each other and supported by the town clerk.~~

~~4.2 These learning and development needs will be costed and incorporated into the council's budget. The Mayor and/or Deputy Mayor will be responsible for monitoring progress against any agreed plans. The Mayor and Deputy Mayor will monitor each other's progress, supported by the town clerk.~~

**5. Induction - New Members**

5.1 Within three months of appointment new members will be inducted in: council's purpose, values, objectives and operations; governance; finance; and risk. They will also be given a tour of the town.

5.2 The induction programme will be delivered by the town clerk.

**6. Induction - New Employees**

6.1 An employee induction policy and procedure are in place. The induction policy and procedure is supported by a probation policy and procedure.

**7. Learning and Development Records and Reporting**

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- 7.1 The town clerk is responsible for: producing a council-wide learning and development plan; proposing an annual budget to meet the plan; updating and maintaining training records and; for reporting progress against the plan to the Human Resources Committee.

## **Disciplinary Policy**

### **1. Purpose**

- 1.1 To ensure all employees maintain the required standard of conduct.
- 1.2 To provide guidance on rectifying conduct issues or matters of gross misconduct.

### **2. Policy**

- 2.1 It is expected that managers will resolve minor issues and misunderstandings on a day-to-day basis. The disciplinary policy and procedure provides the means whereby more serious issues may be dealt with.
- 2.2 The procedure seeks to deal with the majority of disciplinary situations. It is recognised, particularly in respect of gross misconduct cases that events may prevent the letter of the procedure being followed. This may include an employee being asked to leave the workplace for a brief period, pending the matter being dealt with in accordance with the procedure. This would not in itself be classed as suspension from duty.
- 2.3 The primary focus of the disciplinary policy and procedure is to achieve improvement, except in the case of gross misconduct.
- 2.4 The town council will ensure all employees receive a thorough induction including clear information on the standards of conduct expected of them.
- 2.5 The council will follow the Acas Code of Practice on disciplinary and grievance procedures. This ensures the council follows a full and fair procedure, which would be taken into account if the case reaches an employment tribunal. Disciplinary issues shall be handled promptly and consistently. The timescales within the procedure may be varied, as appropriate.
- 2.6 If an employee is charged with, or convicted of, a criminal offence, not related to work, this may not in itself be a reason for disciplinary action. The town council will establish the facts of the case and consider whether the matter is serious enough to justify starting the disciplinary procedure. The main consideration will be whether the offence, or alleged offence, is one that potentially makes the employee unsuitable for their particular work.
- 2.7 The town council reserves the right to proceed with a disciplinary case without waiting for the outcome of the criminal proceedings. Each case will be decided on its merits in light of the information available.
- 2.8 In cases where representations are made on behalf of the employee to delay disciplinary proceedings, pending criminal proceedings, this matter will be considered by the town clerk, or the Mayor, if the person concerned is the town clerk.
- 2.9 At any point throughout the procedure, the employee has a right to raise a grievance on any matter. If the grievance is relevant to the specific case, it will ordinarily be considered at the same time as the disciplinary case. If it is not directly related, ~~the grievance will be considered outside of the disciplinary hearing.~~ the disciplinary process may be temporarily suspended in order to deal with the grievance.

### **3. Trade Union Representation**

- 3.1 The employee concerned can involve the relevant trade union at an early stage in resolving misconduct issues, if they are a member.

3.2 At all stages of the formal procedure an employee will have the right to be accompanied by a trade union representative, an official employer by a trade union or work colleague. Representation or accompaniment by a practising lawyer is excluded.

#### 4. Equal Opportunities

4.1 The policy will be applied in accordance with the council's equal opportunities equality and diversity policy.

4.2 Where an employee under investigation or interviewed as part of the investigation has particular support needs by reason of disability, language or other factors, reasonable adjustments will be considered and made.

#### 5. Scope

5.2 A separate policy and procedure applies to employees on probation with the council and should be read in conjunction with this policy.

#### 6. Definition

6.1 Misconduct is deemed to have taken place when an employee's conduct falls short of what the council requires of its employees. Examples are provided in the Code of Conduct for Employees and in the employee's contract of employment. Examples include persistent lateness, not following instructions, unauthorised absence, swearing or verbal abuse, being under the influence of drink or other intoxicants, breach of safety rules, unauthorised use of council facilities. This list is not exhaustive.

6.2 Gross misconduct is behaviour that is so serious that it constitutes a fundamental breach of an employee's contract of employment and would make any further working relationship and trust impossible. It is restricted to very serious offences. Examples include theft or fraud, physical violence or bullying, unauthorised removal or theft of council property, sexual misconduct, malicious damage to council property, acceptance of bribes or other corrupt practices, unauthorised access to, use or disclosure of confidential information. This list is not exhaustive.

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#### 7. What are Disciplinary Rules?

7.1 The town council's Code of Conduct for Employees and an employee's contract of employment inform employees of what is considered as unacceptable behaviour. The list is not exhaustive.

7.2 If an employee breaks the Code of Conduct for Employees and their contract of employment and/or behaves in an unacceptable manner, this may lead to disciplinary action.

#### 8. Record keeping

8.1 In all cases, Regardless of the outcome, written records of any disciplinary cases will be kept in accordance with the Data Protection Act 1998. This means records should be confidential and only kept for as long as necessary. Employees have the right to request access to the records.

8.2 Records will include:

- 8.2.1 The complaint against the employee;
- 8.2.2 The employee's defence;
- 8.2.3 Findings made and actions taken;
- 8.2.4 The reason for any actions taken;
- 8.2.5 Whether an appeal was lodged;
- 8.2.6 The outcome of the appeal;
- 8.2.7 Any grievances raised during the disciplinary procedure;
- 8.2.8 Subsequent developments; and

#### 8.2.9 Notes of any formal meetings.

- 8.3 Copies of meeting records will be given to the employee including copies of any formal minutes that may have been taken. In certain circumstances, for example to protect a witness, the employer may withhold some information.
- 8.4 In all cases, a record of any formal warning will be placed on an employee's personnel file.
- 8.5 After the expiry of the specified period, formal warnings will be disregarded for future disciplinary purposes. Any warning will clearly state the date that the warning was issued and the date on which the warning will expire for future disciplinary purposes. The spent warning will be retained on file, as part of the employment record.
- 8.6 Information on spent warnings will be released as part of an employment reference only if pertinent to the nature of the future role or where there may be issues of child protection or the protection of vulnerable adults.
- 8.7 There may be occasions where an employee's conduct is satisfactory throughout the period that the warning is in force, only to lapse very soon thereafter. Where a pattern emerges, the employee's previous disciplinary record should be borne in mind in deciding how long any current warning should remain in force. When the warning is issued it should clearly explain why it is to remain in force for longer than the normal period applicable to a comparable offence, and its expiry date.

### 9. Learning and Development

- 9.1 The town council will provide information and training to ensure employees are aware of this policy and accompanying procedure.

### 10. Dealing with Trade Union Representatives

- 10.1 Although the usual standards of discipline apply to trade union representatives and branch officers, no formal action will be taken until the circumstances of the case have been discussed with a full time official of the relevant trade union and the town clerk.
- 10.2 In cases of alleged gross misconduct against a recognised trade union representative or branch officer where a full-time official cannot be contacted quickly, the employee may be suspended immediately on full pay until the full-time official has been contacted.

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## Disciplinary Procedure

### 1. Informal Stage of the Procedure

- 1.1 Where there is a minor breach of discipline, which does not justify formal action, the manager will meet in private with the employee, to discuss the issue.
- 1.2 The manager will consider the employee's response and advise them of the conduct or standards expected in future.
- 1.3 In cases where it is clear the employee requires support and guidance to remedy the situation, the manager will make arrangements for this to take place. Any meeting arranged as part of the informal procedure shall only involve the manager and the employee.
- 1.4 This stage of the procedure is informal and should be part of a manager's normal responsibilities. As a matter of good practice, managers will make a note of the problem and any advice and guidance offered to the employee within five working days of the informal discussion. It may be appropriate, at the manager's discretion, to set out in writing the required improvements and standards of conduct which are necessary. A copy of the advice will be recorded in the employee's personnel file and a copy given to ~~him/her~~ them. If the employee does not agree with some or all of the content, ~~he/she~~ they will have any comments they make in response recorded on their personal file.
- 1.5 There will be no right of accompaniment at this stage, to maintain informality.
- 1.6 If the misconduct persists, despite the provision of appropriate support and guidance, it may be appropriate to progress to the formal stage of the procedure.
- 1.7 At all stages in the procedure, the appropriateness of mediation should be considered.
- 1.8 Cases of serious or gross misconduct will be progressed directly to the formal stage of the procedure.
- 1.9 The employee has no right of appeal at the informal stage of the procedure. This does not preclude the employee's right to raise a grievance at any stage if they believe the situation has been improperly handled.
- 1.10 If the person who is subject to the disciplinary investigation is a manager who reports to the town clerk, the town clerk will meet in private with the employee, to discuss the issue.
- 1.11 If the person who is subject to the disciplinary investigation is the town clerk, the town clerk's manager, the Mayor, will meet in private with the town clerk to discuss the issue.

### 2. Formal Stage of the Procedure

#### **Step 1 – The manager should verbally inform the employee of the alleged misconduct / or inform the employee that a matter will progress from an informal to a formal stage of the procedure.**

- 2.1 The manager should not discuss the matter in detail at this stage. A fuller discussion should take place at a meeting, which the employee will be advised of in writing. The letter should clearly set out:
  - 2.1.1 the nature of the alleged misconduct;
  - 2.1.2 that the misconduct is being treated as a formal disciplinary matter;
  - 2.1.3 that they will be invited to an initial meeting to discuss the matter and offer their response;
  - 2.1.4 their right to be represented at this meeting.

- 2.2 In some instances, it may be appropriate to suspend the employee or for them to leave their place of work for a stipulated period. Any such decision will be confirmed in writing.

### **Step 2 – Initial meeting to discuss the issue**

- 2.3 Dependent on the nature of the misconduct, the appropriate manager will arrange to meet with the employee to discuss the alleged misconduct.
- 2.4 The employee may be accompanied by a trade union representative, an official employed by a trade union or a work colleague. Representation by a practising lawyer is excluded.
- 2.5 The employee should be allowed to respond to the allegations.
- 2.6 At the end of the discussion, the manager will confirm to the employee the next steps in the procedure and confirm this in writing. If no further action is required, the employee will be advised.
- 2.7 In cases of serious or gross misconduct, it may be appropriate to suspend the employee, without prejudice. Employees will receive full pay and benefits during a period of suspension. Suspension should be kept as brief as possible.

### **Step 3 – Investigation**

- 3.1 Before the investigation starts, the town clerk will appoint an investigating officer, who will normally be the manager responsible for the employee. If the town clerk is the subject of a disciplinary action, the Mayor will appoint an investigating officer.
- 3.2 The investigating officer will objectively gather the facts of the case and determine a timescale, including a provisional date for a disciplinary hearing.
- 3.3 At the outset of the investigation, the investigating officer will write to the employee under investigation to inform them of:
- 3.3.1 The summary allegations;
  - 3.3.2 That an investigation is being conducted;
  - 3.3.3 That they will be kept informed of progress throughout the investigation;
  - 3.3.4 That they will be interviewed in response to the allegations, maybe on more than one occasion, as part of the investigatory process;
  - 3.3.5 Their right to be accompanied by a trade union representative, an official employed by a trade union or work colleague at any stage during the process.
- 3.4 The investigating officer will interview the employee under investigation and will provide them with five working days' notice of the interview.
- 3.5 The investigating officer will interview all relevant witnesses and obtain any relevant evidence from them.
- 3.6 There may be instances where it is necessary to suspend an employee while investigations are carried out. Employees will receive full pay and benefits during a period of suspension. Suspension should be kept as brief as possible.
- 3.67 The investigation shall be completed as soon as possible, normally within six weeks. In cases where the investigation continues beyond six weeks, the investigating officer will arrange a review with the town clerk to agree actions that are required to bring the investigation to a conclusion. The employee under investigation will be advised, in writing, of how the investigation will proceed and the timescale involved.

3.78 At the conclusion of the investigation, based on the evidence gathered, the investigating officer will determine whether there is a case to be answered.

#### Step 4 – Hearing

4.1 The purpose of the hearing will be to consider the evidence to enable the panel to decide what action, if any, to take. The panel will normally consist of the town clerk, a manager and a representative of the Human Resources Committee. If the employee concerned is the town clerk, the panel will normally consist of three members of the Human Resources Committee.

4.2 The investigating officer will make the arrangements for the disciplinary hearing. At least 10 working days' notice shall be given for the disciplinary hearing.

~~4.3 The employee may offer a reasonable alternative time for the hearing, normally within five days of the original date, if their chosen companion cannot attend. Another meeting may also be arranged if an employee fails to attend through circumstances outside their control, e.g. illness. Where an employee continues to be unavailable to attend a meeting, the council may conclude that a decision needs to be made on the evidence available. The employee should be informed if this is the case.~~

4.34 The investigating officer must send the employee, who is the subject of the hearing, a letter advising them of the date, time and venue for the hearing. The letter must explain the purpose of the hearing, the issues to be considered, the possible outcomes of the hearing and should set out the employee's right to be accompanied by a trade union representative, an official employed by a trade union or a work colleague. Also included with the letter should be all supporting documentary evidence to be referred to at the hearing, together with the names of witnesses to be called.

4.45 The employee will be asked to provide any papers/evidence/names of witnesses they may refer to at the hearing to the panel at least five working days before the hearing is due to take place. The ~~panel~~ investigating officer will ensure all paperwork for the hearing is circulated to all parties before the hearing.

~~4.5 The panel will ensure that copies of all documentation are circulated to all parties before the disciplinary hearing.~~

4.6 The panel will appoint a chairman who will be responsible for the conduct of the hearing. Someone who is not involved in the case will take a note of the meeting.

4.7 The panel will adjourn before a decision is made to allow time to reflect and consider the information provided, and to allow time to further check any matters raised. The outcome of the disciplinary hearing will normally be announced by the panel's chairman, to both sides, at the end of the hearing.

4.8 The decision will normally be confirmed in writing to the employee within five working days. The written notification will include an explanation of the reasons for the decision and will also advise the employee of their right of appeal against the panel's decision.

4.9 In reaching their decision, the panel will take account of the seriousness of the allegations, the employee's record and length of service, any mitigating circumstances and any other factors they regard as relevant.

4.10 The outcome of the disciplinary hearing could include one or a combination of the following:

4.10.1 No further action;

4.10.2 A first written warning, which will normally remain on an employee's personnel file for six months;

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- 4.10.3 A final written warning, which will normally remain on an employee's personnel file for 12 months;
- 4.10.4 Dismissal with the appropriate period of notice or payment in lieu of notice (in cases of gross misconduct the employee will normally be dismissed without notice or payment in lieu of notice);
- 4.10.5 Some other alternative penalty in place of, or supplementary to, the issue of written warnings.

#### **Step 5 – Appeal**

- 5.1 The employee has the right of appeal against all written warnings and dismissal within five working days of the date of the decision.
- 5.2 Appeals will be heard and determined by a panel which consists of three members of the Human Resources Committee. Where possible, they should not have been involved in the original meeting or hearing.
- 5.3 If the employee is the town clerk or a manager who reports to the town clerk, an appeal will be heard and determined by a panel that consists of three members of the Full Council.
- 5.4 The employee has the right to be accompanied by a trade union representative, an official employed by a trade union or a work colleague at any appeal meeting.
- 5.5 The employee will have the opportunity to comment on any new evidence arising during the appeal before a decision is made.
- 5.6 The decision and the reasons for the decision will be confirmed in writing to the employee within five working days, making it clear this is the final decision.

## Grievance Policy

### 1. Purpose

1.1 To provide a means for the fair and prompt resolution of employee grievances.

### 2. Policy

2.1 It is expected that managers will resolve minor issues and misunderstandings on a day-to-day basis. The grievance policy and procedure provides the means whereby more serious issues may be dealt with.

2.2 Wherever possible, grievances should be dealt with informally and resolved promptly and fairly in order to maintain good working relationships.

2.3 If an employee is dissatisfied with an informal resolution, they may raise it formally, in writing. In cases where an employee feels exceptionally aggrieved by a particular matter, they may take their grievance straight to the formal stage of the procedure.

2.4 The timescales in the procedure may be modified by mutual agreement but in any case, the line manager shall respond within 20 days of receiving the letter of grievance at step 1 of the formal procedure.

2.5 Wherever possible, a grievance should be dealt with before an employee leaves the council's employment. See section C for the procedure regarding employees who have left employment.

### 3. Trade Union Representation

3.1 The employee concerned can involve the relevant trade union at an early stage for resolving grievances, if they are a member.

3.2 At all stages of the formal procedure an employee will have the right to be accompanied by a trade union representative, an official employed by a trade union or work colleague. Representation or accompaniment by a practising lawyer is excluded.

### 4. Equal Opportunities

4.1 The policy will at all times be applied in accordance with the council's equal opportunities equality and diversity policy.

4.2 In all cases where employees subject to the grievance procedure have particular support needs by reason of disability, language or other factors, reasonable adjustments will be considered and made as necessary.

### 5. Scope

5.3 A modified procedure applies to those employees who have recently left employment where the grievance procedure did not commence or was not completed prior to termination of employment. The modified procedure is detailed in section C.

5.4 The grievance policy and procedure does not apply to complaints by employees of harassment, bullying, victimisation or unlawful discrimination. In these cases, the county council's bullying and harassment policy will apply.

5.5 The grievance policy and procedure also does not apply where the issue:

5.5.1 is already the subject of a collective grievance or dispute;

~~5.5.2 is a pay and grading issue that can be resolved by means of the town council's agreed job evaluation scheme;~~

5.5.3 is about superannuation regulations where other appeal procedures apply;

5.5.4 is in relation to a matter that is otherwise specifically provided for by another town council policy and where the relevant mechanism for resolving disputes is incorporated into the policy concerned.

## 6. Definition

6.1 A grievance is defined in the Employment Act 2002 (Dispute Resolution) Regulations 2004 as a 'complaint by an employee about action which the employer has taken or is contemplating to take in relation to him/her'.

6.2 A grievance may arise from a wide variety of issues, for example, issues regarding terms and conditions of employment, supervision and management, health and safety and working conditions.

6.3 In cases where an employee is not satisfied with an informal resolution and wishes to raise a formal grievance, their complaint must be made in writing to their line manager, in accordance with step 1 of the formal procedure. In cases where the employee's grievance is against their manager, they may make their complaint to the next level of authority.

## 7. Collective Grievances

7.1 A collective grievance may be raised by a group of employees who wish to make the same complaint.

7.2 The group may nominate an appropriate representative to make the grievance on the group's behalf. See section B under grievance procedure.

7.3 In cases where the employees concerned are members of a recognised trade union, a union representative may raise the grievance on their behalf.

7.4 In cases where the group of employees concerned are not members of a recognised trade union, they may nominate an employee representative to raise their grievance.

7.5 In any of these cases, an employee may not raise the same grievance individually.

7.6 It is the responsibility of the nominated representative to inform the employees concerned of progress.

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## 8. Grievances and Tribunal Claims

8.1 Employment tribunals are legally required to take the Acas code of practice [on discipline and grievances and work](#) into account when considering relevant cases. Tribunals will also be able to adjust any compensatory awards made in these cases by up to 25% for unreasonable failure to comply with any provision of the code. This means that if the tribunal feels that an employer has unreasonably failed to follow the guidance set out in the code they can increase any award they have made by up to 25%. Conversely, if they feel an employee has unreasonably failed to follow the guidance set out in the code they can reduce any award they have made by up to 25%.

## 9. Grievances Raised During the Course of Disciplinary Action

- 9.1 An employee may raise a grievance after disciplinary or capability procedures have begun, on the grounds that the disciplinary or capability action amounts to unlawful discrimination or that the employee believes that disciplinary or capability action has been taken for some other reason than conduct or capability or that they believe the process has been flawed.
- 9.2 If the grievance is relevant to the specific disciplinary case, it will ordinarily be considered at the same time as the disciplinary case.
- 9.3 If it is not directly related, ~~the grievance will be considered outside of the disciplinary hearing. The raising of a grievance will not ordinarily delay disciplinary proceedings. Advice should be sought from the town clerk in these cases, the disciplinary process may be temporarily suspended in order to deal with the grievance.~~
- 9.4 If the grievance is raised after the appeal stage of the town council's disciplinary procedure, the grievance procedure must be followed in full.

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## 10. Record keeping

- 10.1 In all cases, written records of the grievance will be kept in accordance with the Data Protection Act 1998. This means records should be confidential and only kept for as long as necessary. Employees have the right to request access to the records.
- 10.2 The records will include:
- 10.2.1 The nature of the grievance;
  - 10.2.2 A copy of the written statement made by the employee under step 1;
  - 10.2.3 A copy of the line manager's response made under step 2;
  - 10.2.4 Any action(s) taken and the reason(s) for the action(s);
  - 10.2.5 Whether the employee exercised their right of appeal;
  - 10.2.6 The outcome of the appeal; and
  - 10.2.7 Any subsequent development.

## 11. Learning and Development

- 11.1 The council and the recognised trade unions are committed to ensuring appropriate learning and development will be provided to ensure implementation of this policy.

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## 12. Dealing with Trade Union Representatives

- 12.1 If a grievance is submitted by a trade union representative or branch officer, no formal action will be taken until the circumstances of the case have been discussed with a full time official of the relevant trade union and the town clerk.

## Grievance Procedure

### Section A – Individual Grievance Procedure

#### 1. Informal Stage

- 1.1 Where an employee feels aggrieved on any matter, they should discuss the matter informally with their manager. If the manager is the subject of the grievance, employees should discuss their concerns with another manager.
- 1.2 The manager will consider the employee's grievance and respond verbally to the employee, within five working days of them raising the issue. The line manager should make a note of the grievance, the response and the reasons for the response and give a copy to the employee.
- 1.3 If an employee is dissatisfied with the informal resolution, the employee may raise the grievance under the formal stage of the procedure.
- 1.4 At all stages of the procedure, the appropriateness of mediation should be considered.
- 1.5 If an employee is exceptionally aggrieved by a particular matter, they may progress directly to Step 1 of the formal procedure.

#### 2. Formal Stage

##### Step 1 – Employee raises formal grievance in writing

- 2.1 Except in exceptional circumstances, the employee must clearly state their grievance in writing, normally to their manager. Employees, must state in their letter:
  - 2.1.1 An explanation of their grievance;
  - 2.1.2 That they wish to raise it as a formal grievance; and
  - 2.1.3 What outcome/redress they are seeking.
- 2.2 It is important that the issue the employee is aggrieved about is specific and clearly stated and that the employee sticks to the facts. In cases where the specifics of the grievance are not made clear, it may be decided that the grievance will not be heard, pending clarification on the matter. Advice must be sought from the town clerk or their representative in these cases.
- 2.3 In cases where the grievance relates to the employee's line manager, the employee should write to the town clerk. Where the grievance relates to the town clerk, the employee should write to the Mayor.

##### Step 2 – Meeting to review the grievance

- 2.4 Dependent on the nature of the grievance, the manager will arrange to meet with the employee to discuss the matter.
- 2.5 The employee shall be responded to, in writing, within 10 working days of the manager receiving the grievance, confirming arrangements for the meeting to review the grievance and advising the employee of their right to be accompanied to the meeting.
- 2.6 The purpose of the meeting will be to review the grievance and aim to determine an appropriate resolution to the issue.
- 2.7 The meeting will take place within a reasonable timeframe, normally within 10 working days of receiving the letter of grievance. If the employee and/or their representative cannot attend the

date given, the employee may suggest an alternative date normally not more than five working days later than the date originally proposed.

2.8 Someone who is not involved in the case will take a note of the meeting.

2.8.9 The outcome of the Step 2 meeting will be confirmed in writing to the employee within five working days of the meeting.

2.9-10 In cases where no resolution can be agreed or it is deemed an investigation may be needed, the case will progress to Step 3.

### Step 3 – Hearing

3.1 The hearing will take place within a reasonable timeframe, normally within 10 working days of the step 2 meeting. The hearing will normally be heard by the town clerk or the chairman of the Human Resources Committee.

3.2 The purpose of the hearing will be to consider the grievance and any evidence arising from an investigation and determine an appropriate outcome.

3.3 Both parties will submit, at least five working days before the hearing, a brief statement of their case which will be used at the hearing. In addition, both parties will submit any supporting evidence, witness statements and the names of any witnesses they wish to call upon at the hearing at least five working days before the hearing date.

3.4 The meeting will be adjourned to allow time for reflection and any further checking of the matters raised. The outcome will normally be announced at the end of the hearing. In all cases the outcome will be confirmed to the employee, in writing, within five working days of the date of the hearing. The letter will inform the employee of their right of appeal to a panel, which will consist of three members of the Human Resources Committee.

3.5 In cases where the grievance is about another employee, the individual who is the subject of the grievance should be informed about any aspect of the decision that affects them and the reasons for it. The employee who raised the grievance should be informed of who else will be told about the decision and what information they will be given.

### Step 4 – Appeal

4.1 An employee who continues to be aggrieved in respect of the original complaint should write to the town clerk within 15 working days of receiving the letter confirming the outcome of their Step 3 hearing. If the grievance relates to the town clerk, the employee should write to the mayor within the same timescale.

4.2 Where the grievance is about another employee, the individual who is the subject of the grievance should be informed the initial decision has been appealed and the anticipated timeframe for the appeal decision. The employee who raised the grievance should be told if anyone else will be informed about the appeal decision and the information they will be given.

4.2 Appeals will be heard and determined within a reasonable timeframe, by the Human Resources Committee's appeal panel.

4.3 The decision of the appeal panel will be confirmed in writing to the employee within five working days of the hearing. This decision will be final.

4.4 Both parties will submit, at least five working days before the appeal, a brief statement of their case which will be used at the appeal.

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- 4.5 The decision of the Human Resources Committee's appeal panel will be confirmed in writing to the employee within five working days of the appeal. This decision will be final.

## **Section B – Collective Grievance Procedure**

### **1. Informal Stage**

- 1.1 Where a group of employees feel aggrieved on any matter, they should discuss the matter informally with their manager. At this informal stage there shall be no right of accompaniment by a trade union representative in order to maintain informality. However, there may be cases where a trade union representative is asked to raise the matter informally with management on behalf of the employees concerned.
- 1.2 The manager will consider the employees' grievance and respond verbally to the employees, within five working days of them raising the issue. The manager should make a note of the grievance, the response and the reasons for the response.
- 1.3 If the employees are dissatisfied with the informal resolution, they may raise the grievance under the formal stage of the procedure.
- 1.4 At all stages of the procedure, the appropriateness of mediation should be considered.
- 1.5 If a group of employees are exceptionally aggrieved by a particular matter, they may progress directly to Step 1 of the formal procedure.

### **2. Formal Stage**

#### **Step 1 – Representative raises formal grievance in writing on employees' behalf**

- 2.1 The employees may nominate a representative to state clearly in writing, normally to their manager, except in exceptional circumstances covered in 2.3. Employees must state in their letter:
- 2.1.1 The names of the aggrieved employees;
  - 2.1.2 An explanation of their grievance;
  - 2.1.3 That they wish to raise it formally, as a collective grievance; and
  - 2.1.4 What outcome/redress they are seeking.
- 2.2 In cases where the employees concerned are members of a recognised trade union, a union representative may raise the grievance on their behalf. In cases where the group of employees concerned are not members of a recognised trades union, they may nominate an employee representative to raise their grievance.
- 2.3 In cases where the grievance relates to the employees' line manager, the representative should write to the town clerk. Where the grievance relates to the town clerk, the **employees representative** should write to the chairman of the Human Resources Committee.

#### **Step 2 – Meeting to review the grievance**

- 2.4 Dependent on the nature of the grievance, the manager will arrange to meet with the employees' representative to discuss the matter.
- 2.5 The employees shall be responded to, via their representative, in writing within 10 working days of the manager receiving the grievance, confirming arrangements for the meeting.

2.6 The purpose of the meeting will be to review the grievance and aim to determine an appropriate resolution to the issue.

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2.67 The meeting will take place within a reasonable timeframe, normally within 10 working days of receiving the letter of grievance. The meeting must not take place unless the manager has been provided with sufficient information regarding the grievance and the manager has had reasonable time and opportunity to consider the facts of the complaint.

2.78 If the representative cannot attend the date given, they may suggest an alternative date, normally not five working days later than the date originally proposed.

2.9 Someone who is not involved in the case will take a note of the meeting.

2.810 In cases where no resolution can be agreed or it is deemed an investigation may be needed, the case will progress to Step 3.

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### Step 3 – Hearing

3.1 The hearing will take place within a reasonable timeframe, normally within 10 working days of the step 2 meeting. The hearing will normally be heard by the town clerk of the chairman of the Human Resources Committee.

3.2 The purpose of the hearing is to consider the grievance and any evidence arising from an investigation and to determine an appropriate outcome.

3.3 Both parties will submit, at least five working days before the hearing, a brief statement of their case which will be used at the hearing. In addition, both parties will submit any supporting evidence, witness statements and the names of any witnesses they wish to call upon at the hearing at least five days before the hearing date.

3.5 The meeting will be adjourned to allow time for reflection and any further checking of issues raised. The outcome will normally be announced at the end of the hearing. In all cases the outcome will be confirmed to the employees, via their representative, in writing, within five working days of the date of the hearing. The letter will inform the employees of their right of appeal to a panel, which will consist of three members of the Human Resources Committee.

### Step 4 – Appeal

4.1 Employees who continue to be aggrieved in respect of the original complaint should write, via their representative, to the town clerk, within 15 working days of receiving the letter confirming the outcome of their Step 3 hearing. If the grievance relates to the town clerk, the representative should write to the mayor within the same timescales.

4.2 Appeals will be heard and determined within a reasonable timeframe, by the Human Resources Committee's appeal panel and one trade union representative.

4.3 The decision of the Human Resources Committee's appeal panel will be confirmed in writing to the employee within five working days of the hearing. This decision will be final.

### Section C – Modified Procedure, for employees no longer working for the town council

1.1 A modified procedure, which does not require a meeting, will be used in cases where the employee is no longer working for the town council

#### Step 1 – The employee raises a formal grievance in writing

1.2 The employee must state clearly in writing, within three months of leaving their employment, to the town clerk, an explanation of their grievance, that they wish to raise it as a formal grievance and what outcome/redress they are seeking.

#### Step 2 – Response



- 1.3 The appropriate manager will outline their response to the employee within 10 working days of the manager receiving the grievance.