



Lymm Parish Council

Employee Handbook

Updated October 2020

**Incorporating the Terms and Conditions of your Contract of
Employment**

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1. Introduction

Our employees are our most valuable asset and we aim to maximise their potential which in turn will enhance the Parish Council in all its dealings with residents.

In welcoming you to the Parish Council we set out for you in this Handbook our philosophy and standards. We ask nothing from you that we do not ask from any of your colleagues and for that matter Councillors and we sincerely hope that you will enjoy a long and fruitful career with us.

Please read the handbook carefully and address any queries, no matter how small, that you may have with the Clerk.

2. General Information

Staff Policy

We want the Parish Council to be one that our staff are proud of and committed to.

We want all employees to have an opportunity to contribute, learn, grow and advance on merit.

We want our colleagues at work to feel respected, treated fairly, listened to and involved.

We will provide training and opportunities designed to help each individual to reach his/her own performance goals and thus gain the satisfaction from his/her own and the Parish Council's accomplishments.

Alterations and modifications to the employee handbook

The Parish Council reserves the right to make reasonable alterations to this Handbook and any other terms and conditions of service. Minor changes of details, such as to procedure may be done via a general notice to you. Significant alterations will only be implemented following full consultation with all affected employees.

3. Commencing Work

3.1 Confirmation of Employment

You will probably have been interviewed and subject to a satisfactory reference will have received a formal offer of employment providing some basic details of your job, pay and hours etc. That document, together with other details within this handbook, covers all the conditions of employment applicable to you at Lymm Parish Council.

3.2 Personal File

As an employee you will have a personal file created which will contain details such as your application form, letter of engagement, a signed copy of your contract, your current job description etc. During the course of your employment copies of any letters and/or documents relating to your individual circumstances will be added to your personal file.

3.3 Personal Details

Please keep us informed of any changes in your personal circumstance i.e. new address, telephone number. It is important that we keep such information up-to-date in order to make contact with you whenever appropriate. The Parish Council for its part is committed to fulfilling its obligation under current data protection legislation.

3.4 Job Description

It is the Parish Council's intention to issue all employees with a Job Description for the position they hold. This will be done either at the commencement of your employment, or as soon as a Job Description has been agreed.

The purpose of a Job Description is to clearly set down the main tasks so that there is a proper understanding of the job at the earliest stage in your employment.

To reflect the changing needs of the business there will be adjustments made from time to time to your Job Description, and you will be fully consulted with over such changes.

3.5 Probationary Employment

In accordance with standard business practice and unless you have been informed otherwise the first 3 months of your employment with us will be regarded as a probationary period. During this period we shall review your on-going performance and suitability with you. Naturally, we would hope to confirm your position as permanent, but it may be necessary to extend the probationary period, or where you prove to be unsuitable to terminate your employment within or at the conclusion of the probationary period. Unless your termination is due to misconduct there will be no recourse to the Disciplinary Procedure.

4. During your Employment

Following the previous section dealing with aspects of your early employment we now wish to draw your attention to certain aspects that will apply during the course of your employment.

4.1 Induction Training

On commencing employment with the Parish Council you will be trained, as appropriate, in all aspects of your job in order for you to comply with the Parish Council's methods/practices and to ensure that you are able to function safely and to achieve the required standards.

4.2 Development Training

The Parish Council encourages its employees to undertake such training as it feels appropriate relating to the duties and responsibilities of its employees.

Training events, i.e. organised by the Parish Council will be discussed and agreed with you, prior to the event.

Should the Parish Council require an employee to attend external training, this will be discussed and agreed in advance. All agreed costs incurred in such training will be met by the Parish Council.

Should an employee request support with attending external training of a category/level not identified during the performance reviews, such requests will be considered and decided on the merits of mutual benefit in relation to the employee's role within the Parish Council.

4.3 Performance Review

It is our practice to monitor performance on an on-going basis in the belief that minor issues can be identified at a very early stage and rectified either by retraining or by informal counselling. In this way we feel we can create a positive approach to problem solving and improve efficiency.

4.4 Job Flexibility

It is an essential condition of your employment that you are prepared to adopt a flexible approach to your work pattern, and if it is deemed necessary carry out alternative duties in other areas. We are dependent on this flexibility clause not only to allow us to adapt to the changing nature and volume of work, but to protect the future of the Parish Council and its employees.

5. Equal Opportunities

The Parish Council recognises that discrimination in the workplace, in any form, is unacceptable and, in most cases, also unlawful. We have therefore adopted a Recruitment Policy, to ensure that all job applications are treated fairly and without favour or prejudice. We have adopted an Equal Opportunities Policy, to ensure that all employees are treated fairly.

In all situations, individuals will be judged solely on merit or ability.

Each and every employee has a duty to observe and apply the Equal Opportunities Policy at all times.

The policy will be implemented in accordance with the requirements of the Equality Act 2010. It is unlawful to discriminate against an individual because of any of the protected characteristics in the Equality Act 2010. The nine protected characteristics are age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. Any breach of the policies will lead to disciplinary action, which may include dismissal.

The Grievance Procedure is available to any individual who believes that they have concerns, problems or complaints and the Parish Council would encourage those individuals to pursue their rights, through this channel.

6. Harassment Policy

6.1 The Policy

The Parish Council is committed to being a place of work where everyone is treated fairly and with respect, and is entitled to work in an environment free from harassment, victimisation and bullying, due to disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, marriage and civil partnership, or membership/non membership to a trade union.

6.2 Responsibilities

Every employee has a responsibility not to behave in a way that could be offensive to others or to allow others to do so.

The Parish Council as a Corporate Body has a particular responsibility to ensure the policy is implemented, to communicate the policy, and to fully investigate any instance of harassment, victimisation or bullying.

6.3 Unacceptable Behaviour

Unwanted Physical Conduct: such as unnecessary touching, patting, pinching, insulting or abusive behaviour or gestures, physical threats, assaults, etc.

Unwanted Verbal Conduct: such as unwelcome advances, patronising titles or nicknames, propositions or remarks, innuendo, lewd comments, jokes or abusive language which refer to a person's disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership etc., repeated suggestions for unwanted social activities inside or outside of the workplace.

Unwanted Non-Verbal Conduct: such as racially or sexually based graffiti or graffiti referring to an individual's characteristics or private life, abusive or offensive gestures, whistling, displays of pornographic or similar literature, inappropriate use of computers or computer systems.

Bullying: Offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power which is meant to undermine, humiliate or injure the person on the receiving end.

Harassment: Unwanted conduct related to a protected characteristic under the Equality Act 2010 (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct.

Other Conduct: which ridicules, intimidates or is abusive of an individual or group.

Behaviour of the types described above will not be tolerated and may result in disciplinary action.

6.4 Disciplinary Implications

Single offences which amount to a serious breach of this policy, or repeated offences, may result in dismissal or summary dismissal.

Any individual failing to fulfil their responsibilities will be subject to disciplinary action.

Harassers, Line Managers and the Parish Council may be held personally liable in the event of legal proceedings.

Allegations that prove to be malicious will be regarded as serious misconduct and will result in disciplinary action.

7. Confidential Reporting Policy (Whistle blowing)

The Public Interest Disclosure Act protects workers from being dismissed or penalised by their employers for disclosing information relating to crimes, breaches of a legal operation, miscarriages of justice, danger to health and safety or damage to the environment and to the concealing of evidence relating to any of these.

The Act creates the concept of “protected disclosure” by which the worker making the disclosure must reasonably believe that the information shows that one of the above offences or breaches has occurred or is likely to occur.

This statement is intended to underline our commitment to our employees and our support for those who come forward to express their concerns.

7.1 Confidential Reporting

It is acknowledged that it is never easy to report a concern, particularly one that may relate to fraud or corruption. However, staff are urged to come forward with any concerns at an early stage, and before problems have a chance to become serious.

If preferred, employees may come forward with another colleague or a friend to report a concern.

The Parish Council will support concerned employees and protect them from reprisals or victimisation. If an employee comes forward with a concern, they can be confident that this will not affect their employment. This applies equally if anyone comes forward in good faith with a concern that turns out later not to have been justified.

Confidentiality will be respected if you have requested this.

If anyone tries to discourage an employee from coming forward to express a concern, the Parish Council will treat this as a disciplinary offence. In the same way, anyone who criticises or victimises an employee after a concern has been expressed will be dealt with under the disciplinary procedures.

7.2 Who to Contact

In most cases, staff should be able to raise any concerns with the Clerk. If for some reason this is not possible, you should speak to The Chair of the Parish Council and ask for a confidential meeting. All such contacts will be treated in confidence.

There may be exceptional or urgent circumstance where it might be best to contact an external agency. It is not possible to give precise examples but, for instance, relevant situations might be:-

If the problem involved: the Clerk and/or RFO of the Parish Council, the Chair or a Councillor/s.

- In the case of criminal offence: the police
- In the case of any fraud: the Parish Council’s external auditors.

The Parish Council hopes that none of these will ever prove necessary.

7.3 Dealing with Concerns

If you raise a concern, it will be investigated carefully and thoroughly. It is important to be fair, both to the employee and also to any others involved. If someone is potentially being accused of misconduct they must be given the opportunity to state their side of the story. In any investigations the Parish Council will respect any concerns expressed about the employee's own safety or career.

If the employee requests to know the outcome, the Parish Council will try to let them know the results of investigations and about any proposed action. However, in doing this, the confidentiality of other employees also has to be respected.

If an employee has abused the confidential reporting process, for instance by maliciously raising unfounded allegations, this will be treated as a disciplinary matter. But no one who comes forward in good faith has anything to fear.

8. Employee Benefits

8.1 Wages and Salaries

Your Terms and Conditions of Service will indicate your rate of pay and the frequency and method of payment. You will be issued with a pay statement indicating how your gross pay has been calculated, details of any statutory payments (i.e. sick pay, maternity/paternity pay) and including any overtime payments. Additionally, the pay statement will detail all deductions that have been made (N.I., Income Tax etc.).

The Parish Council reserves the right to deduct from your pay any sums which you owe the Council, including any overpayments or loans made to you by the Council, or losses suffered by the Council as a result of any negligence on your part or breach of Parish Council rules.

If you encounter any problems with your pay, e.g. incorrect payment, under payment, overpayments, incorrect deductions etc. then all such problems should in the first instance be raised with the Clerk or RFO.

Please note that in the event of an overpayment, the excess payment will normally be deducted in full from your next payment. You will be given advance warning of any such deduction and any individual hardship will be taken into account and may result in repayment over a longer period, following review by the Parish Council.

8.2 Additional Hours/Overtime

It is a condition of your employment that you are available to work additional hours over and above your normal weekly hours when authorised and as required by the needs of the Parish Council. As much notice as is reasonably practicable will be given on such occasions. Additional hours will be paid at standard base rate.

8.3 Days in Lieu

The hours of certain employees may be reviewed in line with the needs of the Parish Council. If the additional time (pre-authorised) involves a day during a weekend, then you should plan to take time off so that, in a three-week period, you work no more than 15 days. If discussed and agreed in advance, the Parish Council is willing to consider allowing time to be taken in lieu at a later date but no later than three months after the event. Days in lieu not taken within this time frame will be lost. There will be no payment in respect of days in lieu.

8.4 Tax Year Details

The tax year changes over in the first week of April each year, and following the end of the Tax Year we will issue Form P60 which indicates the total taxable pay you have received over the previous tax year and the relevant deductions that have been made for National Insurance and Income Tax. Form P60 is issued as a legal requirement for Employers, and we are unable to provide duplicate copies. Please ensure that you retain this document in a safe place.

8.5 P11D

As appropriate to your individual contractual circumstances the Parish Council may have to complete a form P11D to report taxable benefits received in the course of business, i.e. any gifts from suppliers will be reported to the Inland Revenue, as appropriate. However, it is your responsibility to inform the Tax Office of such matters and anything else relating to your own tax affairs. Expense claim forms (together with receipts) must be completed and submitted within one month. P11D's are prepared for the Inland Revenue each year at the beginning of June.

8.6 Tax Liability

All employees must accept individual responsibility for any declaration concerning self assessment. The Parish Council disclaims any responsibility for individual tax liability under Self Assessment Regulations.

8.7 Pension Scheme

You may wish to contract out of the State Earnings Related Pension Scheme by way of an appropriate Personal Pension. This is an area which is affected by your age and earnings and you should take advice from an Independent Financial Advisor. The Parish Council is not legally allowed to advise you in this particular area.

The Parish Council is a member of the Cheshire Pension Scheme and all employees will be offered the opportunity to join the scheme.

8.8 Expenses Policy

Claims should be submitted for the preceding month at the same time as submitting your time sheet. Any expense claimed should be supported by receipts and signed. Late claims will be carried over to the following month. Claims submitted more than 4 months after the end of the month incurring the expenditure will not normally be paid.

On termination of your contract, for whatever reason, expense claims up to the date of leaving must be submitted as soon as possible. The Parish Council reserves the right to deduct or reimburse expenses in the final payment.

8.9 Rest Periods

The Working Time Regulations 1998 stipulates:

Daily Rest

An adult worker will receive not less than eleven consecutive hours rest in each 24 hour period of work (12 hours for young workers)

Weekly Rest

An adult worker will receive an uninterrupted rest period of 24 hours in each 7day period, or an uninterrupted rest period of 48 hours in each fortnight. For young workers under the age of 18 the rest period is 48 hours in each 7day period.

Rest Breaks

Where an adult worker works for more than six hours per day there is an entitlement to a daily 20 minute uninterrupted rest break (30 minutes for a young worker, under the age of 18 years, working more than 4.5 hours).

9. Holidays (Annual and Public), Pay and Procedures

9.1 General

The Parish Council recognises that you work hard and in order to do this you need to be able to achieve an effective work-life balance. We believe that all employees should take a minimum number of days leave per year in order to maintain this. Details of holiday entitlements and accruals are explained below.

The holiday entitlement year runs from 1st April until 31st March the following year. You accrue holiday on the basis of 1/12th of the annual holiday entitlement for each month commencing April. We are committed to ensuring that all employees have the opportunity to take their holiday entitlement during the holiday year. Any holiday entitlement accrued, but not taken within the holiday year, will not be carried over nor payment in lieu.

You should present all holiday requests on the appropriate form, which is then submitted for the approval of the Clerk. You should not book your holidays without receiving prior authorisation.

Application should be made in writing and submitted for approval as far in advance as possible. We reserve the right to vary or deny times requested so that the needs of the Parish Council are not affected by undue absence through holidays. All religious holidays must be taken from normal entitlement.

Unpaid leave will only be allowed in exceptional circumstances and at the discretion of the Parish Council.

The terms “day” and “week” relate to the normal working day and week. A day’s holiday for part time staff is pro rata to normal entitlement.

Unless otherwise agreed, in writing, by the Chair of the Parish Council, you will not normally be allowed to:

- Take paid holiday before completion of 3 months service
- Take more holiday than you have accrued
- Carry holiday over not taken, but accrued, into the next year or receive payment in lieu.
- Take holiday in units smaller than half a day.

9.2 Annual Holiday Entitlement

Full time staff are entitled to annual leave plus statutory bank holidays as detailed in your Contract of Employment. Holiday entitlement for part time workers will be calculated on a pro rata basis as follows and will be detailed in your terms and conditions.

$$\text{Part Time entitlement} = \frac{\text{Part Time hours}}{\text{Full Time hours}} \times \text{Full Time entitlement}$$

9.3 Holiday Pay on Termination of Employment

Subject to restrictions governing probation, gross misconduct and failing to give and work any contractual notice, if you leave the Parish Council employment you will receive pay for any outstanding accrued holiday entitlement. This pay will be calculated by deducting holiday already taken from the amount of holiday accrued.

Where holiday has been taken in excess of entitlement you will be required to refund an amount equivalent by which you have exceeded your entitlement. This sum will be deducted from any monies owing to you at the time of leaving the Parish Council

9.4 Restrictions Affecting Holiday Entitlement/Holiday Pay

Whilst you will accrue holiday during your probationary period you will forfeit any entitlement to holiday pay if you leave within the probationary period.

If you are summarily dismissed by reason of gross misconduct, then all accrued holiday is forfeit.

If you do not give notice of intention to leave or do so before the notice period is completed, then accrued holiday can be reduced by the notice not worked.

9.5 Holiday pay

Holiday pay is calculated by reference to the rate of pay recorded in your personal records.

9.6 Public/Bank Holidays

The Parish Council recognises with pay the following Public/bank holidays each year included in your annual holiday entitlement.

New Years Day

Good Friday

Easter Monday

First Monday in May (Early May Bank Holiday)

Last Monday in May (Spring Bank Holiday)

Last Monday in August (Summer Bank Holiday)

Christmas Day

Boxing Day

9.7 Holidays on Statutory or Nominated Statutory Bank Holidays

Where the statutory or nominated statutory Bank Holiday coincides with your rostered working day, the day must be taken off as part of your holiday entitlement

9.8 Christmas Closedown

The period of the Christmas closedown will be notified to you in the April of each year. A closedown schedule will be issued detailing the extent of the days in question, which will then be deducted from your annual holiday entitlement.

10. Absence from work

10.1 Sickness

The Parish Council pays statutory sick pay for absences due to illness.

To qualify for Statutory Sick Pay (SSP) you must:

- be classed as an employee and have done some work for your employer
- have been ill for at least 4 days in a row (including non-working days)
- earn at least £113 (before tax) per week (2017/18 rates)
- tell your employer you're sick within 7 days

The Council reserves the right to make reasonable enquiries of the employee's General Practitioner in line with the provisions of the Access to Medical Reports Act 1988. Under that legislation you have certain rights which include the requirements for you to give your written consent before the Council is entitled to contact your General Practitioner. Should this requirement occur, then you will be notified in writing of your rights.

The Council reserves the right to require you to be examined at any time by an independent doctor at its expense and to cease payment of council sick pay if it is advised by the doctor that you are fit to return to work.

10.2 Procedure and Rules

You are required to notify your manager as early as possible and by midday at the latest on the first day of absence from work. A telephone call is preferable, but if not possible, a letter posted that day for receipt on the next day will be accepted. Failure to follow these procedures places unfair burden on your colleagues and may lead to disciplinary action. Furthermore, the council will not pay for unauthorised absences.

If you wish to be absent for any other purpose than your own illness, you must obtain permission of the Clerk in advance. Absence without permission or poor timekeeping may lead to loss of earnings and disciplinary action.

If absence continues beyond seven days, a Doctors Medical Certificate MED3 is required and should be obtained following consultation with the doctor. It should be completed and forwarded to the Parish Council as soon as possible. Where absence continues beyond seven days, a Doctors certificate MED3 will be required at seven days intervals to cover a continuing absence.

10.3 Medical Appointments/Domestic Emergency

We recognise that there will be occasions where you will request time off for medical/dental appointments or indeed for domestic reasons. Such requests will only be granted at the discretion of the Clerk.

In the interest of Parish Council's requirements, you should keep such requests to a minimum, and, where possible arrange for such appointments to be made outside your normal working hours.

11. Return to Work

11.1 Contact

The Clerk will maintain contact with you whilst you are absent, a note of these discussions will be made. When you return to work the Clerk or other appropriate individual will undertake a 'Return to work interview'. This will be used as an opportunity for the Clerk or other appropriate individual to discuss any issues that might affect your future ability to attend work.

The notes that are taken, relating to the discussions, will be signed by you and the Clerk or other appropriate individual as a true record.

The notes will cover your name, who you made contact with, who interviewed you, the date and a summary of the discussion/s. There will also be a note of any agreed action to be taken including the Parish Council. When this form is completed and signed by both parties it will be retained as a record of the discussion and the agreed actions. On request, a copy will be made available to you.

12. Maternity Leave and Pay

12.1 Maternity Leave

A pregnant employee has the right to both 26 weeks of ordinary maternity leave as well as 26 weeks of additional maternity leave. To qualify for maternity leave, you must tell the Council by the end of the 15th weeks before the expected week of childbirth:

- That you are pregnant
- The expected week of childbirth, by means of a medical certificate if requested
- The date you intend to start maternity leave. This can normally be any date which is no earlier than the beginning of the 11th week before the expected week of childbirth up to the birth. It is best to advise the Council however, as soon as possible

Once notification has been given to the Council then we will write to you, within 28 days of the notification, setting out your return date. The Council must give eight weeks notice if we wish to change the return date.

All pregnant employees are entitled to time off with pay for antenatal care made on the advice of a registered medical practitioner, which may include relaxation classes and parent-craft classes. Except for the first appointment, you should show the Council, if requested, an appointment card or other documents showing that an appointment has been made.

12.2 Maternity Pay

Statutory maternity pay (SMP) will be payable if you have been employed continuously for at least 26 weeks ending with the 15th week before the expected week of childbirth, and have an average weekly earnings at least equal to the lower earnings limit for National Insurance contributions. SMP is payable for 39 weeks; for the first six weeks it is paid at 90% of the average weekly earnings. The following 33 weeks will be paid at the SMP rate or 90% of the average weekly earnings whichever is the lower.

If you do not qualify for Statutory Maternity Pay you may be entitled to Maternity Allowance (MA), paid by the Benefits Agency, for up to 39 weeks. To qualify, you must have been employed for 26 weeks out of the 66 weeks before the expected week of childbirth.

The Council will take account of health and safety risks to new and expectant mothers when assessing risks in work activity. If the risk cannot be avoided, the Council will take steps to remove the risk or offer suitable alternative work (with no less favourable terms and conditions); if no suitable alternative work is available, the Council will suspend you on full pay for as long as necessary to protect your health and safety or that of your baby.

12.3 Returning To Work

At the end of additional maternity leave you are entitled to return to your original job or, if this is not reasonably practicable, to a suitable alternative job. If the Council cannot offer suitable alternative work, you may be entitled to redundancy pay.

13. Paternity Leave and Pay

13.1 Paternity Leave

If you are a father to be or will share the responsibility with a partner for bringing up a child, you may have the right to Statutory Paternity Leave and Pay. This includes those who are adopting a child.

To qualify you will have to be an employee and worked continuously for the Council for 26 weeks ending with the 15th week before the baby is due, or the end of the week in which the child's adopter is notified of being matched with the child.

Paternity leave is available to employees who:

- Have or expect to have responsibility for the child's upbringing
- Are the biological father of the child or the mother's husband or partner (including same sex relationships) and
- Have worked continuously for the Council for 26 weeks ending with the 15th week before the baby is due or the end of the week in which the child's adopter is notified of being matched with the child

Those who are eligible can choose to take either one week or two consecutive weeks' paid paternity leave (not odd days). You may be entitled to Statutory Paternity Pay.

You will need to take the paternity leave within 56 days of the actual date of birth of the child, or if the child is born early, within the period from the actual date of birth up to 56 days after the first day of the week in which the birth was expected.

13.2 Additional Paternity Leave

Additional paternity leave allows employee's who are eligible to take up to 26 weeks leave to care for their new baby.

Additional paternity leave and pay may be available if:

- you are the father of a child, partner or civil partner
- you and your partner receive notification that you are matched with a child for adoption
- your wife, partner or civil partner is adopting a child from overseas and the child enters Great Britain
- the child's mother is entitled to statutory maternity leave, maternity pay or allowance or statutory adoption leave or pay

Additional paternity leave is for a maximum of 26 weeks. Leave can be taken any time from 20 weeks after the child is born, but it must have finished by the child's first birthday. In the case of adoption it can start anytime between 20 weeks and 52 weeks after the child starts living with the adopter.

To qualify for additional paternity leave and pay the Council must receive notice in writing at least eight weeks before the start of the leave. This must include:

- the expected date of the baby's birth or date of notified of being matched for adoption
- the actual date of baby's birth, or placement of adoption

- the start date of the Additional Paternity leave and pay
- relationship to the mother, and leave is taken to care for the child

For Additional Paternity leave and pay to be taken the child's mother or adopter must have started working again and any relevant payment must have stopped, with at least two weeks of the 39 week payment period remaining. You must intend to care for the child during your Additional Statutory Paternity Pay period. Additional Statutory Paternity Pay is only payable during the period of the 39 week Maternity Allowance, Statutory Maternity or Statutory Adoption Pay period. It cannot continue beyond the end of the statutory maternity pay, maternity allowance or statutory adoption pay period.

13.3 Antenatal Appointments

There is no legal right to paid time off, however the Council may make arrangements for you to attend antenatal appointments: you could take some annual leave; or it may be possible to swap work days or make time up. These arrangements must be agreed with the Council in advance.

13.4 Informing the Council

You should tell the Council as soon as possible when you intend to take paternity leave, but no later than the end of the 15th week before the expected week of childbirth. You should say when the baby is due, if you are going to take one or two weeks off, and when you expect your paternity leave to start.

Paternity leave cannot start until the birth of the baby; however you may be able to take some annual leave before.

14. Adoption Leave and Pay

14.1 Adoption Leave

An eligible employee can take up to 52 weeks adoption leave. This is made up of 26 weeks Ordinary Adoption Leave and 26 weeks Additional Adoption Leave. To qualify for adoption leave, an employee must:

- be newly matched with a child for adoption by an adoption agency
- have worked continuously for their employer for 26 weeks ending with the week in which they are notified of being matched with a child for adoption.

Adoption leave and pay are available to:

- individuals who adopt
- one member of a couple where a couple adopt jointly (the couple must choose which partner takes adoption leave).

The partner of an individual who adopts, or the other member of a couple who are adopting jointly, may be entitled to paternity or additional paternity leave and pay.

Employees must give the Council documentary proof to show that you have the right to paid Statutory Adoption Leave. This is usually a matching certificate from your adoption agency. The adoption agency must be recognised in the UK.

Statutory adoption leave can start either:

- from the date the child starts living with the employee
- up to 14 days before the date the child is expected to start living with the employee.

Employees should tell the Council within seven days of being told that they have been matched with a child, if this is not possible they must tell the Council as soon as possible.

Statutory adoption pay will be payable in the same way and at the same time by the employer. If the employee qualifies it will be payable for 39 weeks at the statutory rate.

14.2 Adoption statutory pay

You may be entitled to statutory adoption pay.

14.3 Annual leave entitlement while on adoption leave

Paid annual leave will continue to accrue during adoption leave, employees and employers should agree when the leave will be taken. This could be before or after adoption leave.

15. Parental & Dependant Incident Leave

15.1 Parental Leave

Unpaid parental leave is a statutory right.

Eligible employees can take unpaid parental leave to look after their child's welfare, eg to:

- spend more time with their children
- look at new schools
- settle children into new childcare arrangements
- spend more time with family, such as visiting grandparents

Their employment rights (like the right to pay, holidays and returning to a job) are protected during parental leave.

Employees qualify if all of these apply:

- they've been in the company for more than a year
- they're named on the child's birth or adoption certificate or they have or expect to have parental responsibility
- they're not self-employed or a 'worker', eg an agency worker or contractor
- they're not a foster parent (unless they've secured parental responsibility through the courts)
- the child is under 18

Employers can ask for proof (like a birth certificate) as long as it's reasonable to do so.

Further details may be found here <https://www.gov.uk/parental-leave>

16. General Rules and Regulations

16.1 Jury Service

The Parish Council recognises the lawful requirement for employees to attend jury service.

Providing you have obtained the permission of the Parish Council and consented to the deduction from your salary of the amount payable to you in respect of the financial loss allowance, the Parish Council, at its discretion will continue to pay you for up to two weeks at your hourly rate.

16.2 Dress Code

During the course of your employment you are likely to come into contact with members of the public. Your appearance and dress code is therefore important in that we always portray a professional Council image. We therefore require all employees to wear adequate, neat and tidy clothing appropriate to their job responsibilities in order to maintain a professional image at all times

16.3 Personal Property

Please avoid bringing valuable personal items to work and do not leave any valuables either unattended or overnight. We cannot accept liability for the loss of, or damage to, such personal property brought onto our premises.

16.4 Lost Property

All items of lost property should immediately be reported to the Clerk. Similarly, any unidentified article should be handed to the same person whilst attempts are made to discover ownership.

16.5 Private Mail

Any personal mail received at the Parish Council address may be opened by the Clerk regardless of whom it is addressed. Please do not post your private mail at our expense unless specific permission has been granted.

16.6 Mobile Phone Users

Employees being issued with a mobile phone for Health and Safety reasons must have them switched on at all times during their working hours.

Should you receive a call whilst driving, and you do not have a "hands free" cradle in your car for your phone, **you must not answer the phone**. The call should be left to go onto Voicemail and you can return the call once you are no longer in charge of a vehicle. Please be advised that under existing law a person may be regarded as "driving" a vehicle whilst the engine is running and the vehicle is stationary. The offence applies to all motor vehicles, including motorcycles, but not to pedal cycles.

Please also note that as of March 2017, use of a hand held phone whilst driving renders the driver liable to an automatic fixed penalty notice, 6 points on the license and a £200 pound fine. You'll also lose your licence if you passed your driving test in the last 2 years.

Should a case go to court, a driver could be:-

- Be banned from driving or riding
- Disqualified and get a maximum fine of £1,000 (£2,500 if you're driving a lorry or bus)

16.7 Housekeeping

You are required to ensure that your individual work area is kept clean and tidy at all times.

16.8 Protective Clothing or Equipment (Issued under Health & Safety or Hygiene Regulations)

Where protective clothing or equipment is issued to you, this is done for your protection and should therefore be worn or used at the appropriate times. Remember that you have a personal responsibility for your own health and safety and that of others and you should ensure that you exercise this responsibility carefully both through your actions and in the maintenance and care of such clothing or equipment. Failure to wear issued protective clothing will render you subject to the disciplinary process.

16.9 Infectious/Contagious illness

If you are suffering from such a condition you must not report for work without your doctor's clearance. If in any doubt, please notify us and consult your doctor.

16.10 Cross Infection

The Council strongly recommends the safe handling of any potentially contaminated items employees may come across in the normal course of Council business

16.11 Notice Pay

In the event that on the termination of your employment you fail to work your contractual notice (except with our prior consent), we reserve the right to make an equivalent deduction from your final pay. In addition, any money owed to the council will also be deducted from your final pay.

16.12 Notice Period

Your notice period is outlined in your contract of employment.

17. Training

The Parish Council has a commitment to training in order to achieve its objectives as follows:

- Ensure that all employees have the skills to carry out their roles.
- Provide additional skills to allow staff to develop their careers and achieve their full potential and maximise their contribution to the council.
- Enable staff to function as an integral part of the team within which they operate and the council as a whole.

Training needs will be identified either on a one-to-one basis or at your Appraisal with your Line Manager.

Whilst every endeavour will be made to train our staff to the needs of the Council, employees have a similar obligation for their own career advancement.

17.1 General

Employees will need prior authorisation from the Parish Council before embarking on a training course where such course requires financial commitment/time off from the Council.

Each request will be dealt with on merit and must be of direct relevance to the individual's job and/or must be of some benefit to the Council. The Council will require sight of the course details, costs and durations before any decision is made.

The Council will endeavour to assist employees by means of Study Leave and/or financial contributions towards training costs

18. Security and Confidentiality

18.1 Random Search

We reserve the right to conduct random checks (by an authorised person) on the persons and property of all employees whilst they are on our premises or engaged on our business. Where such random checks are conducted, care will be taken to ensure that a third party accompanies the employee concerned at the time of the search. In such circumstances you will be asked to remove the contents of pockets, bags, vehicles etc. The random aspect of the right of search does not by definition imply suspicion against the individual concerned.

A search will not take place without the Employee's consent, but if consent is withheld the Employer reserves the right to accept such action as a sign of guilt and is entitled to rely upon such actions in any subsequent disciplinary hearing. We reserve the option to involve the police at any stage.

The Employer will keep written records of all searches that are carried out.

18.2 Computer/Network Security Rules

The Parish Council licenses the use of computer software from a variety of outside companies. The Council does not own this software or its related documentation and, unless authorised by the software developer does not have the right to reproduce it.

Council employees shall only use software in accordance with the License agreement, whether on Local Area Networks, Wide Area networks or Personal computers.

Employees learning of any misuse of software or related documentation within the council shall notify a member of the Staffing Committee.

18.3 Software Piracy

Copying software is a very serious offence. The Corporate Body (Parish Council) will be held responsible and fined or imprisoned if the legal authorities, i.e. Federation of Software Theft (FAST) or Business Software Alliance (BSA) audit our systems and find infringements of law.

The Parish Council takes a serious view of software piracy and PCs will be checked periodically for illegal copies of software and any found will be deleted and disciplinary action taken.

Please note that similar rules will also apply to software that is e-mailed to you.

According to UK copyright law, illegal reproduction of software can be subject to civil damages and criminal penalties including fines and imprisonment. Parish Council employees who make, acquire or use unauthorised copies of computer software will be considered to have committed an act of gross misconduct as we do not condone illegal duplication of software. Disciplinary proceedings will be invoked.

18.4 Computer Rules

In order to maintain the integrity of the Parish Council system and records, the following rules must be observed:

Passwords for access to the system are confidential and must not be revealed to other employees other than the Clerk or Chair of the Parish Council.

All software or disks must be authorised by the Parish Council before they are loaded onto, or even placed in any computer.

Upon the discovery of computer virus and/or corrupted information the Clerk must be advised immediately.

The creation, generation and distribution of material that is offensive on race, sex or disability grounds is forbidden.

It is forbidden to use the computer system to generate and/or distribute material which is offensive to, or ridicules, other employees.

The storage of any kind of offensive material (including pornography) on the computer system is expressly forbidden.

To sum up these rules material will be considered offensive if it causes distress to the person who receives or discovers it.

Accidental sending of such material will not be acceptable and is covered above.

The council considers any breach of these rules to be Gross Misconduct for which the normal punishment will be dismissal. It may also infringe the Computer Misuse Act.

18.5 Data Protection Policy

The Parish Council fully endorses and adheres to the principles of data protection as enumerated in the Data Protection Act 1998.

Specifically, the personal information:

- Shall be processed fairly and lawfully and shall not be processed unless specific conditions are met.
- Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes
- Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Shall be accurate and, where necessary, kept up-to-date.
- Shall not be kept for longer than is necessary for that purposes or purposes.

- Shall be processed in accordance with the rights of data subjects under the Act
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data
- Shall not be transferred to country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Therefore, the Parish Council through appropriate management, strict application of criteria and controls will:

- Observe fair collection and use of information
- Meet its legal obligations
- Collect appropriate information that is needed to fulfil needs or to comply with any legal requirements
- Ensure quality of information
- Apply strict checks to determine the length of time information is held.
- Ensure the rights of people regarding information stored – to be informed, prevent processing in certain circumstances, to rectify, block or erase information regarded as wrong.
- Take appropriate organisational security measures to safeguard personal information
- Ensure personal information is not transferred abroad without suitable safeguards.

Parish Council will also ensure:

- Someone with specific responsibility for data protection, currently the Clerk
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice.
- Everyone managing and handling personal information is appropriately trained to do so
- Everyone managing and handling personal information is appropriately supervised
- Anybody wanting to make enquiries about handling personal information knows what to do
- Queries about handling personal information are promptly and courteously dealt with
- Methods of handling personal information are clearly described
- A regular review and audit is made of the way personal information is managed

- Methods of handling personal information are regularly assessed and evaluated
- Performance with handling personal information is regularly assessed and evaluated.

18.6 Email Code of Conduct

The arrival and installation of network and connectivity technologies enable us to use e-mail. However, e-mail could lead to poorer communication if it is abused and misapplied. In addition, certain activities for which e-mail could be used are illegal and constitute criminal offences.

This document sets out our e-mail code of conduct so that any employee who:

- Uses e-mail technology on behalf of the Parish Council
- Uses the technology on hardware, software provided by the Parish Council
- Uses the technology to communicate information about the Parish Council
- Uses the technology to communicate any information that has been gained from the Parish Council

The employee does so in accordance with this code of conduct. Failure to do so will lead to disciplinary action which could result in summary dismissal for gross misconduct.

Our objective for installing e-mail is to provide an improved channel of communications with the public and Councillors and therefore improving public satisfaction.

Email is a business tool we can use for improving public satisfaction and must be treated as such. Caution must be taken when using email as it is easy to send. REMEMBER once the send command has been given, the message cannot be stopped.

Email is not a substitute for face-to-face, or even telephone communication. The human being uses many techniques during face-to-face communication (e.g. body language, facial expression, tone, pitch, etc) this cannot be employed within an electronic message. Care must be taken in the construction of an email message so that its contents cannot be misinterpreted.

Bullying, harassment or abuse of others through the use of email is forbidden. This includes sending information that insults or harasses others with respect to their sex, race, age, disability or religion.

It is forbidden to:

- Access or distribute pornography
- Engage in on-line gambling
- Take part in electronic chain letters
- Download or distribute copyright information
- Download, open or distribute unauthorised software

- Post confidential information about the Parish Council

Although email provides the capability of sending the same message to many recipients simultaneously, only include the people who need the message, otherwise “junk email” is being generated for no reason.

Deliberate sending of junk email is forbidden.

When attaching files to a message try and keep them small. Email is not the medium to use for very high resolution graphics.

Remember:

- Email can be read by third parties (police can obtain printouts directly from internet service providers without a warrant)
- Email can be used in evidence
- Email can create binding contracts

Make sure that the content of your email is factually correct and non-defamatory.

Ensure that PCs are not left switched on and unattended for long periods of time.

An individual’s PC may be audited at any time to ensure compliance to this code of conduct.

Should an employee be subject to harassment or abuse from email at work from another employee, Councillor or resident, then the matter should be reported to the Parish Council immediately.

Any employee knowingly infringing one of these principles shall be disciplined as appropriate under the circumstances.

19. Confidentiality

During the course of your employment it is likely that you will come across, or have access to, information that is confidential and must not be disclosed to any person, body or organisation without the Parish Council's written consent. This requirement applies to all employees both during and after their employment with the Parish Council.

All confidential material entrusted to you must be kept safe and returned to the Parish Council on request at any time whether during your employment with us or on the termination of your employment.

19.1 Communications or Statements to the Media

No member of staff other than the Clerk of the Parish Council, is authorised to make any communication or statement to the media relating to Parish Council matters.

19.2 Other Employment

You must notify us of all other employment which you undertake. We will not object to any other employment provided it does not interfere with your ability to satisfactorily fulfil the job we employ you to do. We require this information in order for the Parish Council to comply with the Working Time Directive.

20. Standards of Conduct

Throughout this section we shall give an indication of the required standards of conduct or performance expected from all our employees. It must be appreciated that any judgement of whether those standards have not been observed will depend very much on the specific circumstances of each particular case. It is important however that we set out certain standards for the guidance of all employees.

The following sub sections are examples only and must under no circumstances be considered as an exhaustive statement of all potential misdemeanours.

20.1 General Conduct at Work

At all times during your employment, the needs of the Parish Council are paramount and you should ensure that your efforts and energies are concentrated on achieving this objective.

You are expected to conduct yourself in a reasonable manner with fellow employees, Councillors and members of the public. We will not tolerate rude and insulting behaviour nor foul or objectionable language.

You are not either during or following the termination of your employment permitted to disclose confidential information relating to the Parish Council to any person or organisation without our prior written consent.

You are expected to comply with any reasonable instruction or request given to you by an authorised person.

Under no circumstances should you present yourself for work whilst under the influence of alcohol, intoxicants or drugs. Any attempt to work whilst in such a condition will be regarded as a serious breach of conduct.

Gifts or payment to you by a third party must be authorised by the Parish Council prior to acceptance and/or receipt.

20.2 Conduct Outside of Working Hours

Whilst we have no intention or wish to intrude upon your activities or interests outside work we would expect that none of our employees would be engaged in any activity outside working hours which could result in adverse publicity to the council or which would cause us to question their integrity.

20.3 Stock/Property

Our property must only be used for the purpose of which intended.

All employees have a duty to report to the Clerk any damage to or loss of property.

If as a result of your carelessness, or negligence we suffer loss or damage to property this will be construed as a serious breach of the rules, and where this is construed as particularly serious then this may render you liable to pay the full or part of the cost of repair or replacement.

20.4 Deduction from Pay

If you are required to reimburse the Council with the cost of any damage or loss as described above then such reimbursement will be achieved by making a deduction from wages and it is a condition of employment that you agree to such deduction which will be made in accordance with the Employment Rights Act 1996.

20.5 Work Performance

Your performance at work will be regularly reviewed on an ongoing basis and unacceptable standards due to individual negligence or carelessness may be referred to the disciplinary process.

Similarly, if there is deemed to be an unacceptable volume of work produced in relation to agreed targets or by general comparison to other employees this will be the subject of further investigation. Whilst such investigation may lead to referral to the disciplinary process, we shall also consider whether training or other forms of assistance would be a more appropriate remedy.

20.6 Health and Safety

It is the responsibility of all employees to make themselves aware of our Health and Safety Policy. All employees have a duty of care in respect of the health and safety of not only themselves, but of other employees and members of the public.

All employees are required to adhere to the general health and safety rules and procedures:

- Smoking, or the appearance of smoking, including pipes and e-cigs is not permitted anywhere on Council owned premises and when undertaking work on behalf of the Parish Council.
- Alcohol for personal consumption other than for social or special events is not allowed on Parish Council premises. All employees are reminded that they have a duty to present themselves for work in a condition which neither impairs their efficiency nor renders them to be in breach of the Health and Safety Regulations.

Employees must not interfere with or misuse health and safety equipment provided.

20.7 Stress at Work

The primary aim of the Council is to ensure that its employees are kept safe and healthy at work, and are not subjected to excessive workloads, onerous working practices, or a detrimental working environment. Any employee who feels under stress at work for any of these reasons should refer the matter to the Clerk or Chairman.

20.8 Rules Covering Gross Misconduct

Employees are liable to summary dismissal (i.e. without notice or holiday pay) if they are considered to have acted in any of the following ways. Please note this list is not exhaustive.

1. A deliberate or serious breach of conduct, standards/rules and regulations
2. Theft of money or property whether belonging to the Parish Council, a fellow employee, or a third party associated with the Parish Council.
3. Any action that can be construed as intent to defraud the Council.
4. Drunkenness or being under the influence of intoxicants or non-prescribed drugs.
5. Fighting or physical assault.
6. Grossly indecent or immoral behaviour.
7. Wilful refusal to carry out a legitimate instruction.
8. Falsification of any document or record relating to the Parish Council.
9. Serious breach of the Health and Safety rules which endanger the lives of employees or any other person.
10. Carrying out private work on the premises and/or in working hours without express permission.
11. Deliberate damage to, destruction or sabotage of our property, or any property on the premises.
12. Discriminatory conduct or sexual or racial harassment.
13. Breach of Computer Data policy.
14. Taking bribes or accepting gifts in connection with employment.

21. Internal Procedures

21.1 Introduction to Disciplinary Procedure

We have indicated in the earlier part of this Handbook that all organisations find it necessary to have a minimum number of rules and procedures in order to protect the interests of both the employer and the employee and also the interests of others who come into contact with the Parish Council.

The rules that we have set out specify standards of performance and behaviour and the procedure referred to in this section are intended to promote consistency and fairness in the treatment of our employees. The purpose of our rules and procedures is to emphasise and encourage improvement in the conduct and performance of individual employees and not necessarily to be construed as punitive action.

Accordingly, every effort is made to ensure that when action is taken against an employee under the disciplinary procedure that action is fair and reasonable and that employees are given every opportunity to present their case and that there is a right of appeal against any disciplinary decision which the employee considers to be either unfair or unjust.

The following rules and procedures that are set out are intended to ensure:

- That disciplinary action when taken is taken quickly, fairly and in a uniform and consistent manner
- Employees will only be subjected to disciplinary action once there has been a full investigation of all of the facts and they have had an opportunity to present their side of the case.
- Employees who are disciplined will receive a clear explanation of both the decision reached and any penalty imposed and of the right to appeal against the decision and/or penalty.

22. Disciplinary Rules and Categories of Conduct

Elsewhere within this Handbook we have indicated that it is not practical to set out all the instances of conduct or performance that may lead to disciplinary action being taken. It should be understood by all employees however that the disciplinary procedure may be invoked as a result of:

- Any failure to observe the rules set out in this Handbook or in any other part of your Contract of Employment.
- Any other instance of conduct or performance that we believe could only properly be dealt with under the disciplinary procedure.

22.1 Informal Counselling

Where a breach of conduct or performance is not regarded as being particularly serious and is shown to have been caused by the capabilities, competence or behaviour of an employee, it is open to the Parish Council to deal with this matter informally in the first instance and to give an opportunity for improvement, if necessary, with training rather than to revert to the formal disciplinary procedure.

Any decision to proceed in this way however is a matter for the Staffing Committee's discretion and will depend entirely on the circumstances of each case.

Action taken	By who
Opportunity for improvement	Staffing Committee

22.2 Categories of Conduct

It is impossible to produce an exhaustive list of all instances of misconduct or performance giving rise to disciplinary action, and it is also impractical to state which category of misconduct will be applied to any given degree of behaviour or performance. Generally speaking however an employee's conduct or performance which proves to be unacceptable will fall into one of the following four categories:

- 1 Unsatisfactory conduct
- 2 Misconduct
- 3 Serious misconduct
- 4 Gross misconduct

22.3 Unsatisfactory Conduct – (1 Above)

Generally speaking, any minor breach of the rules and regulations will fall into the category of 'unsatisfactory conduct'. If it is considered sufficiently serious to warrant disciplinary action by the Staffing Committee then it is likely that if this is the first instance of such a minor misdemeanour the disciplinary consequence will be a verbal warning.

In the event that a further breach of rules occur and another minor misdemeanour takes place it should be noted that a second verbal warning may be issued by the Staffing Committee irrespective of whether the second breach of conduct is similar or even the same as the first breach of conduct. It is important to note within this section that in dealing with unsatisfactory conduct it is the standard

of conduct or indeed performance that is being considered and not necessarily a repetition of the same type of events.

Action taken	By who
Verbal warning	Clerk / Staffing Committee
Second verbal warning	Clerk / Staffing Committee

22.4 Misconduct (2 Above)

In this section of misconduct, disciplinary action may be taken by the Staffing Committee where there is continued repetition of action that has resulted in previous verbal warnings for unsatisfactory conduct and there has been no improvement or there had been continued breach. The option to issue a further verbal warning by the Staffing Committee has been mentioned in the previous section, but the degree of the repetition or other form of misconduct or performance may warrant a written warning being issued by the Staffing Committee following one previous verbal warning. Equally, the other occasion where misconduct has occurred may indeed be the first instance of disciplinary action and again the degree of misconduct may warrant the issue of a first written warning by the Staffing Committee without there having been any previous verbal warnings issued.

Action taken	By who
Further verbal warning	Staffing Committee
First Written Warning	Staffing Committee

22.5 Serious Misconduct (3 Above)

Serious misconduct or a serious breach of performance may in themselves require a final written warning to be issued by the Staffing Committee irrespective of whether there have been previous warnings given to the employee concerned or not. A first and final written warning may be issued by the Staffing Committee where it is considered that the conduct or performance of the individual employee is not sufficiently serious to warrant dismissal but nevertheless is considerably more serious than the action that would normally have warranted a written warning for misconduct.

Equally there will be occasions when an employee has received a combination of either verbal and/or written warnings in respect of his or her conduct or performance and there has still been no marked improvement or there has been repetition of the action for which the previous warnings have been given. Consequently, in a sequential manner where an employee has previously been given a written warning in relation to his conduct or performance and there has been no improvement or repetition then the next disciplinary punishment will automatically be a final written warning for serious misconduct from the Staffing Committee.

Please note that following the issue of a final written warning any further repetition or further breach in relation to conduct or performance will automatically result in dismissal albeit contractual dismissal with notice.

Action taken	By who
Final Written Warning	Staffing Committee
First and Final Written Warning	Staffing Committee

22.6 Gross Misconduct (4 Above)

A previous section within the Employee Handbook has covered certain aspects of behaviour, conduct and performance which will be construed as gross misconduct and this term as the name implies involves conduct which is particularly serious in itself or in its consequences (whether actual or potential). In such cases it is considered inappropriate to allow the employee to continue at work and the only proper penalty would be summary dismissal that means immediate dismissal with the forfeiture of any notice or holiday with pay.

Action taken	By who
Demotion	Recommendation from Staffing Committee Decision by Full Council
Suspension without pay	Recommendation from Staffing Committee Decision by Full Council
Suspension with pay	Recommendation from Staffing Committee Decision by Full Council
Dismissal	Recommendation from Staffing Committee Decision by Full Council

We reserve the right to deal with every case entirely on its merits, but in return we undertake that we will always seek to conduct the disciplinary procedure reasonably, fairly and consistently.

23. Disciplinary Investigations and Hearings

When a matter arises which we consider can be properly dealt with on an informal basis this would be our preferred approach. This is particularly the case where a matter relating to your abilities arises and we believe can be resolved by discussion, training or counselling. However, if there is no improvement after a suitable period of time has been allowed or training given, the matter may have to be dealt with more formally.

In the event of a matter arising where it is considered necessary to invoke the disciplinary procedure, we will first seek to establish the true facts of the case and this will be done before memories and recollections fade. Other employees who may be involved in this investigation will be required to fully co-operate with the procedure.

On certain occasions it may be considered prudent or necessary to suspend an employee with pay pending the conclusion of any investigation and subsequent hearing. Further clauses within this section will indicate the level of authority invested in management levels within the Parish Council. It must be noted that suspension with pay is not in itself disciplinary action and is only seen as a temporary measure intended to assist in the proper conduct of the disciplinary process and is not a prejudgement of that process.

If, following initial investigation it is considered that there is a case to answer then a disciplinary hearing will be established as soon as possible. It should be noted at that hearing you may be accompanied by a fellow employee of your own choice or a Trade Union Official appropriately trained. We do not consider that legal representation or presentation by an external body or person (other than a Trade Union Official) is either appropriate or necessary in what essentially is an internal matter. This restriction would apply to both sides. ACAS code of practice suggests that an employee should be given a reasonable time in which to prepare for a disciplinary hearing (3 working days). If the employee and or the employee's representative cannot make the first date this can be postponed and rescheduled for within 5 working days.

The nature of the disciplinary matter will be explained to you in as much detail as is possible and you will have every opportunity to present your case in full, to call any witnesses you would feel appropriate and to present any written evidence. If you require further time to prepare your case, it is open to us to postpone the hearing but it should be noted that in the normal course of events only one adjournment will be granted. If your version of events so requires, we will undertake such further investigations as may be considered appropriate in order to establish the credibility of your explanation. The result of these investigations will be put to you before any final decision is made.

At the conclusion of the hearing, if you accept that the matters raised against you are correct, or if a decision is made against you, then before any penalty is imposed we will give you an opportunity to put forward any mitigating circumstances you feel may be relevant.

At that time there will be a verbal explanation of the decision and this will then be confirmed in writing to you within 5 working days. Your right to appeal against either the findings and/or the penalty to be imposed will also be explained to you both verbally and in writing.

24. Disciplinary Action

24.1 Dismissal

Dismissal for gross misconduct offences as mentioned previously will render the employee liable to immediate termination of employment without notice. Equally the employee will forfeit any rights to current or accrued holiday entitlement.

Dismissal for misconduct will render the employee liable to termination of employment with contractual notice. In such circumstances the employee will not forfeit any rights to holiday pay,

24.2 Demotion

In addition to any formal disciplinary action which is deemed appropriate (other than dismissal), the Council reserves the right to consider the demotion of any employee who, by their conduct or capability, gives the council reason to believe that they are unsuitable to remain in their present position.

24.3 Written Warnings (including Final Written Warnings)

Written warnings will be sent to you and recorded on your file and will contain details of all matters raised during the disciplinary hearing, a summary of all interviews, and your explanations and the final conclusions reached.

Warnings for matters connected with capability or performance will indicate a period of time for improvement and may contain certain recommendations for further training or counselling. Warnings for conduct may require that there is either immediate improvement and/or that there is no repetition.

Any further disciplinary process which takes place after a previous warning is likely to result in a more serious penalty being imposed, even if the second offence is of a different nature to the previous one, particularly where there is evidence that the first warning has not been heeded.

Warnings will include confirmation of your right of appeal.

24.4 Duration of Warnings

- Verbal Warnings

A verbal warning will be disregarded after a 6 month period.

- Written Warnings

A written warning will be disregarded after a 12 month period.

- Final Written Warnings

A final written warning will be disregarded after a 12 month period or such period as stated in the warning letter.

We reserve the right to increase the above periods if the offence committed is particularly serious or if it is an offence that might repeat periodically.

25. Disciplinary Authority

The operation of the Disciplinary Procedure contained in the previous section is based on the following authority at the various levels of disciplinary action.

Authority for staffing and HR matters to be delegated from Full Council to Staffing Committee

Disciplinary Action	Person Authorised to take disciplinary action	Procedure
Verbal Warning	Clerk/Staffing Committee	
Written Warning	Staffing Committee	
Final Written Warning	Staffing Committee	
Demotion	Full Council	
Suspension without Pay	Full Council	
Dismissal	Full Council	

26. Disciplinary Appeals Procedure

You have the right to appeal against any disciplinary decision, an appeal should be submitted in writing stating the full grounds of appeal. Three Councillors who have not been involved with the disciplinary hearing will hear your case. You should inform the Clerk/Staffing Committee, in writing, of your wish to appeal within three working days of the date of the decision.

An appeal hearing will be conducted as soon as possible thereafter at which you will be given an opportunity to state your case, supply new evidence to support your case for appeal that was not genuinely available for the disciplinary hearing. You will also be entitled to be accompanied by a fellow employee or Trade Union Official of your choice.

The decision of the Appeal will be notified to you in writing.

You have a further chance to appeal if you are dissatisfied with that outcome and your appeal should be in writing stating the full reasons for your appeal to the xParish Council. The outcome of that appeal will be final and binding under this procedure.

27. Grievance

Ideally most routine grievances and complaints should be resolved informally by discussion between the employee and his/her line manager. If you do not feel that your complaint can be resolved informally, the following formal process should be followed.

If you have a grievance relating to your employment the matter should be raised initially with your Line Manager. If the grievance is concerning your Line Manager then it should be raised with a member of the Staffing Committee.

You will be required to put any such grievance in writing. The grievance will then be considered and a meeting scheduled and you will be notified of the decision following that meeting and any investigations that might take place.

If this decision, following the Grievance Meeting, is not acceptable you may then refer the matter in writing to a member of the Staffing Committee by way of Appeal within 3 days stating clearly the reasons for your appeal. You will be required to submit new evidence that was not available for the first hearing. A Panel of 3 Councillors will hear your Appeal and you will be notified in writing of their decision.

If you are still at odds with the decision you can appeal again, in writing, to the Chairman of the Parish Council whose decision will be final and binding.

You do have the right to be accompanied by a work colleague or Trade Union Official of your choice at either stage of the grievance procedure.

28. Redundancy Procedure

In the event that we have to consider a potential redundancy situation it is important for all concerned to understand that certain procedures will be followed before any final decision to implement a redundancy is taken.

Any decision to proceed with a redundancy programme will be based on both an economic or organisational reason, and any affected employee will be fully consulted prior to any final decision.

In the event of a potential redundancy situation we will initially take the following steps where relevant.

- Ensure that any overtime working is reduced to an absolute minimum.
- Restrict recruitment.

In the event that a redundancy programme is pursued all potentially affected employees will be notified of our proposals and there will be full and meaningful consultation with those concerned. Selection criteria, where applicable, will be discussed with the individuals concerned. No final decision will be taken without every opportunity having been given to the employee/s concerned to consult with the Parish Council and explore possible alternative positions.

29. Control of Substances Hazardous to Health Policy

29.1 Policy

The Council recognises and accepts its responsibilities as an employer for the health and safety of its employees and other persons who may be affected by its activities that involve the use of hazardous substances as detailed within the Control of Substances Hazardous to Health Regulations of 2002 (COSHH).

The Council will take all reasonable steps to eliminate where possible the use of hazardous substances by substitution at purchase stage for less hazardous alternatives. Where this is not reasonably practicable the Council will investigate the possibility of using and storing reduced amounts of hazardous substances.

The Council will further adopt the policy of installing suitable and sufficient engineering controls to isolate hazardous substances from employees and members of the public.

All of these controls will be further enhanced by the development and use of area specific safe systems of work and by the provision and use of suitable personal protective and respiratory protective equipment when dealing with hazardous substances.

Full training will be given at all levels within the Council to ensure the correct operation of these systems and the correct selection and use of personal protective equipment within operational areas to offer adequate protection.

The use of certain hazardous substances may warrant the need for suitable surveillance that the Council will undertake.

29.2 Commitment

The active co-operation of all personnel is essential to achieve the desired safe operating conditions when dealing with hazardous substances.

29.3 Responsibilities

Clerk

- a) Will ensure there is an effective policy for the control and management of hazardous substances within the Council and that adequate resources are provided to meet the requirements of said policy.
- b) Will review the Council policy for the control and management of hazardous substances.
- c) Advise all relevant staff in order to assist them to fulfil their responsibilities as outlined within the Council Control of Substances Hazardous to Health Policy.
- d) Arrange and deliver suitable training to COSHH assessors and employees to enable them to fulfil their responsibilities outlined within this policy.
- e) Will assist in the selection and sourcing of reduced hazard material.

- f) Will ensure that the Council monitor the exposure levels of identified hazardous substances to ensure that workplace exposure levels are not exceeded.
- g) Will audit the storage, transportation and use of hazardous substances at least annually.
- h) Will ensure correct disposal procedures for hazardous substances are in place to ensure compliance with current legislation.
- i) Ensure that correct spillage and disposal procedures for hazardous substances are in place.
- j) Will ensure the Council monitor all emissions to atmosphere land and water associated with hazardous substances.
- k) Audit against the COSHH policies and procedures at least annually.
- l) Will develop and maintain the Council's Central COSHH Register
- m) Will ensure that all material data sheets for substances are promptly forwarded to the end user.
- n) Will advise COSHH assessors of any change of specification of hazardous substances that comes to their attention during the dealings with supplier.
- o) Will ensure that only minimum amounts of hazardous substances are purchased to facilitate normal operation conditions.
- p) Will ensure that any hazardous substances used have been suitably assessed. (Assessment by a competent COSHH Assessor. This will happen prior to introduction.)
- q) Will ensure that all hazardous substances are stored correctly and in a safe manner.
- r) Will notify the end user of any new or updated material safety data sheets.

Assessors

- a) Will be nominated by the Clerk and will undergo suitable and sufficient training to fit them to their duties as assessors.
- b) Will decide if full COSHH assessments are required for substances used.
- c) Will complete COSHH assessments before any new substance is used/trialled for the first time.
- d) Will review the COSHH Assessments annually or when there has been any significant change.
- e) Will manage the day to day updates of the COSHH manual.
- f) Will forward COSHH assessments to the Clerk on completion.

Employees

- a) Will not use any hazardous substances they have not been trained for.
- b) Report the misuse of hazardous substances directly to the Clerk.
- c) Report all spillages directly to the Clerk.
- d) Will not use any hazardous substances unless they have been fully assessed by the COSHH assessor.
- e) Will use all controls and personal protective equipment as instructed in the COSHH assessment.

30. Control of Substances Hazardous to Health Procedure

30.1 Purpose

To ensure full compliance with all relevant statutory instruments and to provide a system for the safe use, handling, storage and transportation for substances which may be hazardous to health.

30.2 Scope

Staff working for Lymm Parish Council and all Parish Councillors.

30.3 Definitions

COSHH: Control of Substances Hazardous to Health Regulations 2002

Hazard: Anything that has the potential to cause harm including ill health, injury or environmental loss.

Risk: This considers both the likelihood that harm will occur and the potential severity should harm occur.

Substance: Any vapour, fume, mist, dust, liquid, gas or solid

COSHH Risk Assessment: This is the process of assessing what could cause harm in your workplace and what the risk is. The risk assessment then considers whether enough precautions have been taken to minimise the risk, or whether more needs to be done to prevent harm. A COSHH Risk assessment should specifically consider the use, handling, storage and transportation of substances within the workplace.

MSDS (Material Safety Data Sheet) – This should be supplied with any purchased substance. The MSDS should provide information regarding the contents of the product and the risks associated with the product.

Risk Control Measure: The purpose of a risk control measure is to minimise the risk so far as is reasonably practicable.

PPE: Personal Protective Equipment

RPE: Respiratory Protective Equipment

WEL (Workplace Exposure Limit): This is an Occupational Exposure Limit that has been set under the COSHH Regulations. The WEL is the concentration of a hazardous substance in the air. The concentration is averaged over two time periods; long-term (8 hours) and short-term (15 minutes). In the workplace the WEL of any hazardous substance must not be exceeded. For a comprehensive list of all established WELs refer to the HSE document EH40.

30.4 Method

Risk Assessments

It is a requirement of the Control of Substances Hazardous to Health Regulations that a suitable and sufficient risk assessment is completed for a substance that may be hazardous to the health of employees if exposed whilst at work.

A COSHH risk assessment must therefore be completed for any new or existing substances that may be hazardous to the health of employees or others. It is the responsibility of the Clerk to ensure that COSHH risk assessments are completed for all substances identified so far as is reasonably practicable.

30.5 COSHH Risk Assessors

The Clerk may designate responsible people as COSHH Risk Assessors to undertake the COSHH risk assessment. However they must ensure that the designated risk assessors are provided with adequate time, resources and training to ensure that they have the knowledge and experience to undertake suitable and sufficient COSHH risk assessments.

30.6 Approval Process

Prior to the use, storage, handling or transportation of any new substance, the designated COSHH Assessor should be notified. The COSHH Assessor will require an up to date MSDS for the substance so that a COSHH Assessment can be completed prior to arrival of any new substance.

Where the MSDS indicates that the substance is Toxic, Corrosive, Sensitising, Carcinogenic, Mutagenic, Teratogenicity or Explosive, a copy of the MSDS for the substance must be sent to the Clerk for approval for its use. The substance must not be brought onto Council property until it has the approval of the Clerk.

30.7 The Risk Assessment Process

When any new or existing tasks, activities or processes have been identified as involving the use, handling, storage or transportation of substances that may be hazardous to health, the designated risk assessor should be notified so that a COSHH risk assessment can be completed. The COSHH risk assessment should be completed prior to any new task; activity or process commencing that involves the use, handling, storage or transportation of substances that may be hazardous to health.

The risk assessment process should consist of the following stages:

- Hazard Identification
- Effects of Hazardous Substances
- Assessment of Risk of Harm occurring
- Persons at risk
- Review of Current and Additional Control Measures
- Control Measures
- Record of risk assessment findings
- Monitoring
- Review

Hazard Identification

For any identified new or existing task, activity or process, the designated COSHH risk assessor will need to establish what hazardous substances employees and others may be exposed to. In addition, where the substance used is substituted for an alternative, a new COSHH risk assessment will be required.

Hazardous substances may include:

Substances used directly in work activities e.g. adhesives, paints, cleaning products
Substances generated during work activities e.g. welding or soldering fumes, waste material etc.
Naturally occurring substances e.g. tea dust, coffee bean dust.
Biological agents such as bacteria and microorganisms e.g. legionella

Effects of Hazardous Substances

Having identified substances that may be hazardous to health, the effects of hazardous substances will need to be considered. Examples of the effects of hazardous substances include:

- Irritation to skin, eyes or the respiratory system
- Corrosive burns to the skin and eyes
- Asthma as a result of developing an allergy to substances at work
- Losing consciousness as a result of being overcome by toxic fumes
- Cancer, which may appear long after exposure to the substance
- Infection from biological agents

Once the hazardous substances have been identified, a material safety data sheet (msds) must be obtained from the supplier. A copy of the MSDS must be obtained prior to any new substance being purchased and delivered to site. The MSDS for the substance will provide information regarding the potential hazardous effects of the substance. This information is located in Section 15 of the MSDS where it will list Risk Phrases for the substance.

Where the substance is one that is a product of an internal process, information regarding its hazardous properties may be found from the HSE publications EH40/2005 Workplace exposure Limits and Approved Supply List. Information approved for the classification and labelling of substances and preparations dangerous for supply.

Assess the Risk of Harm Occurring

Having identified the potential harm that a substance could cause to someone's health, the likely risk also of this occurring also needs to be addressed. To make an assessment of the risk, the following questions should be asked.

How much of the substance is used?

What quantities of the substance will be used? If the substance is produced as part of a process, how much of the substance may be produced? When considering the quantities, this should cover all types of activities, including daily activities, maintenance activities and potential spills. This information should be recorded on the COSHH Risk Assessment form.

How could people be exposed to the substance?

This should consider how people will come into contact with the substance. To accurately assess this, the properties of the substance and how it is used need to be considered. Depending on the substance and its use this will determine the likelihood of exposure. Will users come into direct contact with the substance or is the substance enclosed for example. The COSHH assessor therefore needs to consider:

Use of Substances

- How is the substance being used?
- Will the user be directly handling the substance?
- Will the user be likely to come into direct contact with the substance?
- Will anyone else come into direct contact with the substance?
- If the substance is produced as part of a process will anyone come into direct contact?

When considering the use of the substance, all activities must be considered, including daily activities through to non-routine and one-off activities. In addition, emergency situations such as spills or leaks should be considered. Furthermore, possible contamination should also be considered. For example, a hazardous substance may get into the mouth from contaminated hands during eating or smoking. This information should be recorded on the COSHH Risk Assessment form.

Properties of Substance

When considering the type of substances that people may be exposed to, the COSHH Assessor also needs to consider whether the activity or process give rise to:

- Dusts
- Vapours
- Mists
- Gases

How will individuals be exposed?

By considering both the use of the substance and its properties, the COSHH assessor can consider how individuals may be exposed to the substance and how harm may occur. The COSHH assessor must therefore consider whether exposure will occur through:

- Direct skin or eye contact
- Indirect skin or eye contact e.g. through contamination of clothing
- Absorption through the skin
- Ingestion
- Inhalation

This information should be recorded on the COSHH Risk Assessment form.

Persons at Risk

The designated risk assessor should consider all possible people that may be at risk of being exposed to any hazards associated with the task, process or activity. The most immediate people at risk will be employees and contractors directly involved with the task, process or activity or in the immediate area where the substance is being used or produced.

Other people that may also be at risk include young workers, trainees, pregnant workers, cleaners, contractors, maintenance workers and visitors. These therefore need to be considered as part of the risk assessment. This information should be recorded on the COSHH Assessment request form.

Current Control Measures

An assessment should be made to evaluate what control measures are currently in place to minimise any risks associated with substances used or produced as part of a task, process or activity. When assessing current controls it is important that the COSHH Risk Assessors consider whether the current controls are effective and work properly. In addition it is important to ensure that everyone affected has a clear understanding of the control measures in place. This information should be recorded on the COSHH Risk Assessment form.

Risk Control Measures

Where it is identified that control measures are needed or that current control measures are not sufficient, suitable control measures will need to be considered. With regard to suitable control measures, specific regulations, ACOPs and guidance should be referred to.

When the COSHH risk assessor is assessing existing or new control measures, adequate regard should be given to the Hierarchy of Risk Control. The hierarchy of control must be followed so far as is reasonably practicable, as this is a requirement of the Control of Substances Hazardous to Health Regulations 2002.

The hierarchy of Risk Control specifies that to minimise risk so far as is reasonably practicable, the following principles should be followed in this order:

- Remove the risk i.e. through elimination hence e.g. change the process of activity so the hazardous substance is not needed or produced
- Reduce the risk i.e. through substitution of the substance for a safer, less hazardous alternative or use it in a safer form e.g. pellets instead of powder
- Change the work method or pattern
- Reduce or limit the time of exposure
- Implement engineering controls e.g. Local Exhaust Ventilation (LEV), Dilution Ventilation
- Ensure good housekeeping
- Ensure safe systems of work
- Provide adequate training and supervision
- Provide suitable Personal Protective Equipment

Upon gathering the above information, this information should be recorded on the COSHH Risk Assessment Form (Appendix A). A copy of the COSHH Risk Assessment Form should be sent to the Safety Advisor with the appropriate attached MSDS.

A COSHH Information Sheet will be completed and the appropriate COSHH Assessor will be notified when the Information Sheet is complete and available on the COSHH database for the area it is to be used in.

Record of Risk Assessment Findings

A record, in the form of the completed COSHH Risk Assessment Form, showing its significant findings must be kept and updated when the recommendations have been completed. Copies of the COSHH risk assessment and Information Sheet must be easily accessible to all employees that may be affected.

All COSHH risk assessments must be kept for at least five years for record purposes from the date that they are no longer required.

Monitoring

The completed risk assessment should be monitored to ensure that all recommendations are fully implemented. This is the responsibility of both the COSHH Risk Assessor and the Clerk to ensure that recommendations are implemented. In addition, once the control measures have been implemented, it is important to monitor that they are effective in controlling the risks to as low as is reasonably practicable. Where it is shown that the controls are not adequate the risk assessment should be reviewed.

Review

The risk assessment should be reviewed on a periodic basis. The frequency that the risk assessment will need to be reviewed will depend on the nature of the risk.

In addition, substances identified as toxic, corrosive, sensitising, carcinogenic, mutagenic or teratogenicity should be reviewed at least every twelve months. As part of the review, where it is reasonably practicable to do so, safer alternatives would be sought to replace such hazardous substances. In addition the COSHH risk assessment should also be reviewed under the following circumstances:

- When any significant change occurs to the process, task or activity
- Introduction of any new substances that may be hazardous
- New available information regarding hazardous substances
- New available technology to minimise the risks
- New requirements implemented by new legislation
- Changes in the workforce e.g. introduction of trainees or pregnant worker
- Accident, incident or ill-health indicates that the control measures are not adequately controlling the risks
- An audit or inspection indicates that the control measures are not controlling the risks

The Clerk and designated COSHH Risk Assessor should be notified should any of these circumstances occur so that the COSHH risk assessment can be reviewed.

30.8 Personal Protective Equipment

Where the COSHH assessment identifies a requirement for Personal Protective Equipment (PPE), the selected PPE must be selected so that it is suitable for the purpose to adequately control exposure to hazardous substances. The PPE must also be compatible to both the user and the environment that it is to be worn in. Furthermore, if it is to be worn with other PPE, all items must be compatible with one another. All PPE must also comply with the Personal Protective Equipment Regulations 2002. For further information regarding this, refer to HS021 Personal Protective Equipment Procedure.

All selected PPE must fit the user correctly. In the case of RPE, this must also fit correctly so as to ensure a tight seal on the user. When initially selecting any tight fitting RPE, the RPE should be tested on users to ensure that the correct device is being used. This will usually involve a quantitative face fit test to establish whether the face seal is sufficient to protect the user from being exposed to hazardous substances.

All PPE must be properly stored in a clean environment to protect from contamination from hazardous substances. All PPE should be inspected on a regular basis to ensure that it is clean and in good condition. Where the PPE is contaminated or damaged, the PPE should be cleaned, repaired or destroyed.

All users must be trained in the importance of wearing PPE where it is identified as required. They should also be aware of the importance to ensure PPE is kept clean and stored correctly.

30.9 Maintenance and Inspection

All plant, equipment, engineering controls and PPE should be maintained in an efficient state, efficient working order, good repair and in a clean condition. In addition, in accordance with COSHH Regulation 9, all engineering controls implemented will require a thorough examination and testing at suitable intervals. More specifically, in the case of Local Exhaust Ventilation systems (LEV), thorough examination and testing will be required at least every 14 months. Where it is identified that RPE will be required, this will also require thorough examination and testing at suitable intervals.

Records for all maintenance, testing and thorough examinations must be kept. This should also include any defects and repairs. Records should be kept for a minimum of five years.

30.10 Training

All employees will be trained in COSHH Awareness. All designated COSHH risk assessors should be given adequate training to undertake their duties as risk assessors. This will involve completing a COSHH risk assessment training course. In addition, they should shadow an experienced COSHH risk assessor when undertaking their first COSHH risk assessments so as to gain practical knowledge and experience.

30.11 Health Surveillance

A proactive approach to health surveillance, as required under COSHH Regulation 11, will be undertaken. The Clerk will ensure that where appropriate employees undertake a medical prior to commencing work. Where it is identified that their role will may expose them to hazardous substances, the Clerk will make an assessment to ensure that there is no medical reasons that would put them at a higher risk than normal should they be exposed to certain hazardous substances.

Where symptoms related to exposure to certain substances are reported to the Clerk, this will again be fed back to the Parish Council so that the risk assessments can be reviewed to ensure that they are adequately controlling the risks.

The Clerk will keep all medical records for individuals, including any health surveillance related to exposure to certain hazardous substances, for at least forty years.

If an individual is diagnosed by a doctor with Occupational Asthma, the Clerk will notify the Parish Council. In addition, they will notify the HSE, as required under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

The Clerk will also assist in advising how to prevent further progression of any symptoms that may be related to exposure to certain hazardous substances.

30.12 WEL/Monitoring

As a requirement of COSHH Regulation 10, where it is identified that a substance has a Workplace Exposure Limit (WEL), if it is likely that the WEL may be exceeded, workplace air monitoring will be undertaken. This will be to establish exposure levels for all individuals that may be potentially exposed. If the WEL is exceeded, the COSHH assessment must be reviewed to ensure that the control measures are adequately controlling exposure. In addition, further control measures may be required to ensure that the WEL is not exceeded and is as low as is reasonably practicable. Furthermore, if the substance is identified as toxic, mutagenic, teratogenicity, carcinogenic, or a sensitiser, the exposure must be reduced to as low as is practicable.

31. Lone Working Policy

31.1 Statement of Policy

The Parish Council will take every practicable step to protect the health, safety and welfare of its employees and Councillors whenever they are required by the nature of their duties to work alone and without direct support and supervision.

The Council's employees are expected to work alone and for some staff lone working is the norm. Whilst working alone is not in itself unsafe there may be circumstances where working alone can increase risks. The Council recognises that there may be increased risks to staff who are required to work alone. The implementation of this policy should help to reduce these risks.

The policy applies to employees and Councillors and for the purposes of this policy lone working is defined as any activity or function performed on behalf of Lymm Parish Council without any close supervision or with other employees.

31.2 Organisation and Arrangements

The Parish Council is responsible for:

- The lone working arrangements of employees
- Determining the contents of this policy
- Ensuring that there are arrangements for identifying, evaluating and managing risk associated with lone working
- Ensuring compliance with the policy and providing resources for putting the policy into practice
- Making sure that employees and Councillors are aware of this policy
- Making sure that appropriate support is given to employees and Councillors involved in any incident.

The Clerk to the Council is responsible for:

- Making sure that risk assessments are carried out and reviewed regularly
- Reporting annually to the Full Council on any incidents and actions taken in response.

All officers and Councillors engaged in lone working are responsible for:

- Taking reasonable care of themselves and other people who may be affected by their actions
- Following all rules and regulations laid down by the Parish Council
- Reporting all incidents that may affect the health and safety of themselves or others
- Taking part in training designed to meet the requirements of this policy
- Reporting any dangers they identify or any concerns they might have
- Recognising and assessing potentially high risk activities before carrying out any work activity and putting in place appropriate arrangements to carry out the identified task safely to mitigate risk associated with working alone
- In addition, and if appropriate, completing a form detailing visits from aggressive or potentially violent people. Any such forms or reports should be provided to the Clerk and Chair for appropriate action to be taken.

31.3 Lone Worker Guidance

- Lone workers must carry any Council issued mobile telephone, charged and switched on
- Lone workers must carry any personal alarm supplied by the Parish Council
- Employees and Councillors must take reasonable care not to put themselves at undue risk. If they feel that they would be at particular risk unless additional precautions are taken then they should discuss this with the Clerk and Chair
- Plan any visits – let someone know time of leaving, where going and estimated time of return
- Try to avoid confrontation. If a situation does become heated, try to stay calm. If violence is threatened it is best to withdraw.
- In the event that a lone worker suspects that a violent attack is imminent it may be possible to use a mobile telephone to summon assistance (e.g. 999 for the police). Heated arguments can suddenly escalate to the point at which violence is used and in practice there may be little time to call for help.
- Ensure that you are properly trained and have the skills and knowledge to do your job safely and without risks to health. If you feel that you need extra training then discuss this with the Clerk
- Try to avoid entering unattended sites or premises
- The Clerk/Assistant Clerk must be available to members of the public during agreed hours at the Parish Office or alternatively at other accessible premises designated by the Council
- Staff working alone in the office should ensure the office door is secure and entry to the building by visitors, etc. is within their control. Check credentials if you are not satisfied as to the bona fides of any visitor acting in an official capacity (Electricity suppliers, water suppliers etc.)
- Periodic site inspections and risk assessments will be carried out by a designated member of staff
- The Lone Working Policy will be reviewed on an ongoing basis and any changes notified to you.

32. Exit Interviews

Introduction

Exit interviews are conducted with departing employees, just before they leave. Participation in exit interviews by the employee is voluntary but, from the Council's perspective, the primary aim of the exit interview is to learn reasons for the person's departure, on the basis that the information will be a helpful driver for organisational improvement. Exit interviews are also an opportunity for the Council to enable transfer of knowledge and experience from the departing employee to a successor or replacement. Good exit interviews should also yield useful information about the Council as an employer, to assess and improve all aspects of the working environment, culture, processes and systems, management and development, etc.

Exit interviews are a unique opportunity to survey and analyse the opinions of departing employees, who generally are more forthcoming, constructive and objective than staff still in post. From the departing employee perspective, an exit interview is a chance to give some constructive feedback.

32.1 The Interview

Exit interviews should, where possible, be conducted face-to-face, in private and by the Line Manager. Face-to-face interviews enable better communication, understanding and interpretation and provide a better opportunity to probe and get to the root of any sensitive matters. The style of exit interview is different for someone who is being asked to leave, retiring, being made redundant, dismissed etc., compared to an employee leaving to move on to another employer. However, everyone who leaves should be given the opportunity of an exit interview, as the Council can learn something from every situation. In terms of managing the interview the following tips may assist to get the most from the interview:

- Listen rather than talk
- Give the interviewee time and space to answer
- Interpret, reflect and understand (you can understand someone without necessarily agreeing)
- Keep calm, resist the urge to defend or argue - your aim is to elicit views, feedback and answers
- Ask open questions, unless you require specific confirmation about a point.

'Who?' should be used with care to avoid defamatory risks - exit interviews are not about 'blame', the allocation of which is not constructive and should be avoided for anything other than very serious complaints or accusations, which must then be suitably followed-up beyond the normal exit interview remit. Actions resulting from exit interview feedback analysis fall into two categories:

- **Remedial and preventative** (improving health and safety issues, stress, harassment, discrimination etc.
- **Strategic improvement opportunities**, (improved induction, management or supervisory training, empowerment or team building initiatives, process improvement, wastage and efficiencies improvements, customer service initiatives etc)

Aims and Outcomes

- Exit interviews are seen by existing employees as a sign of positive culture - a sign that the Council is prepared to expose itself to criticism.
- Exit interviews accelerate participating managers' understanding and experience of managing people. Hearing and handling feedback is a powerful development process.
- Exit interviews help to support other HR practices. They are seen as positive and necessary for quality and effective people-management.
- The results and analysis of exit interviews provide relevant and useful data directly into training needs analysis and training planning processes.
- Exit interviews provide valuable information as to how to improve recruitment and induction of new employees.
- Exit interviews provide direct indications to improve staff retention.
- Exit interviews are an excellent catalyst for identifying specific mistakes and improvement opportunities in management development.

Knowledge Transfer

The period between the decision of the employee to leave, and the actual departure date offers a crucial opportunity for the Council to gather important information and knowledge from the employee. This is especially relevant in roles where the employee has accumulated a significant amount of knowledge and personal connections. The knowledge of the departing employee has immense value, and the recovery of it is often overlooked altogether until the employee has departed although much depends on the atmosphere surrounding the departure.

When any employee resigns, or a decision is made for a person to leave for any reason, always ask: Should we spend some time thinking about how to enable knowledge transfer? The leaver could be encouraged and enabled to hold a briefing meeting, which all interested parties, including the person's replacement if possible, can attend and learn what they need to know.

Knowledge Transfer Questions

- In advance of the exit interview, start thinking about asking these questions.
- How might we benefit from your knowledge, experience, introductions to your contacts, etc., prior to your departure?
- Would you be happy to take part in a briefing meeting with managers / replacements / successor / colleagues so that we can benefit from your knowledge and experience, prior to you leaving?
- What can we do to assist you to pass on as much of your knowledge and experience as possible to your colleagues prior to your departure?
- How and when would you prefer to pass on your knowledge?