



Staff Handbook

Version 6 - March 2020

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Introduction

The purpose of this handbook is to bring together core employment policies and procedures into one place, as a reference point for our staff. This handbook is located on our website under Governance/Policies and Strategies, we will ensure that this online pdf version is regularly reviewed and updated.

Camborne Town Council has adopted the collective agreement known as the "Green Book" issued by the NJC for Local government Services (comprising representatives of employers & employees). The Green Book contains four parts. Part 1 is Principles and Part 4 Joint Advice. It divides terms and conditions into key national conditions (Part 2) and national provisions which may be modified locally (Part 3).

This handbook is not intended to replace the Green Book, it is to act as a further source of information and guidance for staff and the management team working at Camborne Town Council. For ease of reference the Green Book is also located on our website under Governance/Policies and Strategies. If you require further information in relation to this please contact the Town Clerk.

It is the Council's policy to encourage open discussion with staff regarding any matters relating to their employment; therefore we encourage all our staff to ask their Manager for any guidance or clarification as and when needed.

Our Mission: To ensure Camborne is a desirable and thriving place in which to live and work by working in constructive partnership with community partners, facilitating and providing quality, sustainable and affordable services which accord with the community's needs and aspirations.

Camborne is geographically the largest parish in Cornwall. In many ways it reflects Cornwall as it has dense urban areas, characterful villages and sparsely populated rural areas of outstanding natural beauty. The Council administers an area of approximately 2,800 hectares and nearly 23,000 people live within the boundaries, which include the villages of Barripper, Beacon, Brea, Kehelland, Penponds and Troon.

There are eighteen Councillors on Camborne Town Council representing the wards of Pendarves, Roskear, Trelowarren, Treslothan and Treswithian. Councillors are supported by a team of staff and the Town Clerk.

We provide a wide range of facilities including parks, playing fields, allotments, library services, community events, public realm CCTV, grants and community donations. Further information about all of which can be found on the Camborne Town Council website www.Camborne-tc.gov.uk. We also represent the interests of our communities to other bodies and work in partnership with other groups, agencies and Councils to achieve more for the Parish.

We put the community first in everything we do - Kemeneth Kynsa.

Equal Opportunities

1. Equal Opportunities

Camborne Town Council is committed to encouraging diversity and eliminating discrimination in both its role as an employer and as a provider of services. Our aim is that our staff and volunteers are truly representative of all sections of society and work in an environment where everyone is respected and able to perform to the best of their ability. Our policy is to provide equality and fairness for all in our employment and in our provision of services and not to discriminate on the grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age.

Camborne Town Council opposes all forms of unlawful and unfair discrimination. It is our policy to provide a suitable environment for people with disabilities. All reasonable facilities will be provided for staff, elected members and volunteers with disabilities to perform their roles without difficulty or disadvantage.

The Council will not tolerate direct or indirect discrimination against any person on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation whether in the field of recruitment, terms and conditions of employment, career progression, training, transfer or dismissal.

It is also the responsibility of all staff in their daily actions, decisions and behaviour to endeavour to promote these concepts, to comply with all relevant legislation and to ensure that they do not discriminate against colleagues, customers, suppliers or any other person associated with the Town Council.

In adopting these principles Camborne Town Council

- Will not tolerate acts that breach this policy and all such breaches or alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate.
- Fully recognises its legal obligations under all relevant legislation and codes of practice.
- Will allow staff to pursue any matter through the internal procedures, which they believe has exposed them to inequitable treatment within the scope of this policy. If you need to access these procedures they can be obtained from your line manager e.g. Grievance Procedure, etc.
- Will ensure that all managers understand and maintain their responsibilities and those of their team under this policy.

- Will offer opportunities for flexible working patterns, wherever operationally feasible, to help employees to combine a career with their domestic responsibilities.
- Will provide equal opportunity to all who apply for vacancies through open competition.
- Will select candidates only on the basis of their ability to carry out the job, using a clear and open process.
- Will provide all employees with the training and development that they need to carry out their job effectively.
- Will provide all reasonable assistance to employees who are or who become disabled, making reasonable adjustments wherever possible to provide continued employment. We will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary.
- Will distribute and publicise this policy statement throughout the Council

1. Equal Opportunities Policy

Context

It is unlawful to discriminate against an individual. Discrimination is defined as unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances, on the grounds of:

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

These are defined as “protected characteristics” under the Equality Act 2010.

Discrimination may be direct or indirect and includes harassment and victimisation.

Purpose

To provide and promote equal opportunities to all employees or job applicants, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken).

Scope

All employees, whether full time, part time, fixed term contract, agency workers or temporary staff.

Policy Statement

Camborne Town Council is committed to providing equality of opportunity. All employees have a part to play in achieving this and the Council will ensure that

individuals are aware of their personal responsibility to follow and support the Equal Opportunities Policy.

We oppose all forms of unlawful and unfair discrimination, whether it be direct or indirect discrimination, victimisation or harassment on the grounds of any protected characteristics defined in the Equality Act 2010.

No employee or prospective employee should receive unfair or unlawful treatment due to their characteristics. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability.

Camborne Town Council will:

- Make the best possible use of the skills, talents and abilities of all employees;
- Ensure as far as possible that its services reflect the diverse needs of its customers;
- Foster good relations between people who share a protected characteristic and those who do not.

Whilst the emphasis of this policy is on the fair and equal treatment of employees, the principle of creating an environment, which eliminates discrimination, applies equally to the treatment of customers, suppliers and other people who have contact with the Council.

Reasonable Adjustments

The Council has a duty to make reasonable adjustments to facilitate the employment of a disabled person.

These may include:

- Making adjustments to premises;
- Providing training or mentoring for a disabled employee;
- Supplying or modifying equipment, instruction and training manuals for disabled employees; or

- Any other adjustments that the Council considers reasonable and necessary provided such adjustments are within the financial means of the Council.

If an employee has a disability and feels that any such adjustments could be made by the Council, they should contact the Designated Officer.

Adherence to the Policy

It is the responsibility of managers/supervisors to ensure that within their areas of responsibility the standards established within this policy are followed.

All employees must:

- Co-operate with any measures introduced to ensure equal opportunity;
- Report any suspected discriminatory acts or practices;
- Not persuade or attempt to persuade others to practice unlawful discrimination;
- Not victimise anyone as a result of them having reported or provided evidence of discrimination;
- Not harass, abuse or intimidate others on account of any protected characteristic;
- Not lobby job applicants in an attempt to discourage them from applying or taking up a post.

Any breach of the Equal Opportunities Policy will be dealt with by disciplinary procedure. Serious offenses, such as harassment, will be treated as gross misconduct.

This policy is fully supported by all Members of the Council and will be reviewed as new legislation requires.

Complaints

Any employee who has a concern regarding the application of this policy should make use of the Council's grievance procedure.

Any prospective employee wishing to make a complaint should do so in writing to the Designated Officer within 15 working days of the alleged incident. An independent investigation will be conducted and the findings reported to the Staffing Committee whose ruling will be final. The individual will receive written notification of the outcome.

1.3 Dignity at Work

The Council believes that the working environment should at all times be supportive of the dignity and respect of individuals. If a complaint of harassment is brought to the attention of management, it will be investigated promptly and appropriate action will be taken.

What and How of Harassment

Harassment can be defined as conduct, which is unwanted and offensive and affects the dignity of an individual or group of individuals.

Sexual harassment is defined as “unwanted conduct of a sexual nature, or other conduct based on sex, affecting the dignity of women and men at work”. This can include unwelcome physical, verbal or non-verbal conduct.

- race, ethnic origin, nationality or skin colour
- sex or sexual orientation
- religious or political convictions
- willingness to challenge harassment, leading to victimisation
- disabilities, sensory impairments or learning difficulties
- status as ex-offenders
- age

- real or suspected infection with a blood borne virus (eg AIDS/HIV)
- membership of a trade union or activities associated with membership

People can be subject to harassment on a wide variety of grounds including:

Forms may include:

- physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and slander, sectarian songs, letters and so on
- visual display of posters, graffiti, obscene gestures, flags and emblems
- isolation or non-cooperation at work, exclusion from social activities
- coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups
- intrusion by pestering, spying, following someone bullying
- real or suspected infection with a blood borne virus (eg AIDS/HIV)
- membership of a trade union or activities associated with membership

If you feel you are being harassed you are strongly encouraged to seek early advice/support from your line manager. If your feel your line manager is harassing you, then you should contact the Town Clerk.

You should also keep a written record detailing the incidents of harassment and any requests made to the harasser to stop. This written record should be made as soon as possible after the events giving rise to concern and should include dates, times, places and the circumstances of what happened.

Designated Officer

Town Clerk

The Passmore Edwards Building, Cross Street, Camborne, TR14 8HA

enquiries@camborne-tc.gov.uk

Telephone: 01209 612406

Chairman of the Staffing Committee

Details available from the Town Clerk.

Further details and support are also available from your union.

Joining Camborne Town Council

2. Joining Camborne Town Council

2.1 Recruitment and Selection Policy and Procedure

Recruitment plays a crucial role in the provision of services and the continued development of Camborne Town Council. The Recruitment and Selection Policy and Procedures aim to:

- Enable the Council to recruit the best candidate for the post by making it clear what the post is and what skills, experience and attributes are required;
- Set professional standards for recruitment whether suitable candidates are easy or difficult to find;
- Ensure candidates are given the opportunity to demonstrate their abilities regardless of their race, religion or religious belief, sex or sexual orientation, age, disability or employment status;
- Help to recruit the best quality candidates.

Purpose

The policy and procedure seek to cover the full range of recruitment and selection activities. Its general application to roles at all levels will be monitored and may be subject to adjustment, by Full Council resolution, to ensure it continues to provide for the best recruitment and selection decisions to be made in all circumstances.

Scope

This policy and procedure applies to all Camborne Town Council employees and has been developed with due regard to relevant legislation.

Policy Statement

Camborne Town Council is committed to attracting, developing and retaining a workforce with the skills, capability, commitment and potential to deliver its

ambitions for the Camborne parish. Camborne Town Council is committed to the promotion of equality and elimination of discrimination; this is fundamental to the Council's approach to recruitment and selection.

Camborne Town Council has made a commitment to promote equality of opportunity and to eliminate discrimination in employment; this commitment is detailed in the Council's Equal Opportunities Policy

Camborne Town Council will fulfil this commitment by:

- Treating all job applicants openly, honestly and fairly, with respect and according to their needs;
- Not discriminating against any person on the grounds of any protected characteristics;
- Advertising jobs openly to draw them to the attention of the widest range of potential applicants;
- Using non-discriminatory job requirements except where a genuine occupational requirement applies;
- Applying fair selection procedures;
- Making reasonable adjustments in recruitment, selection and appointment arrangements to overcome potential barriers for job applicants.

Job Description

There will be a job description, which accurately describes the tasks and objectives of the job for every post. The job description will include the following:

- The main purpose of the job;
- The key areas of responsibility;
- The main tasks of the job;

- The functional links with other people in the Council and with other work being done by the Council;
- The lines of responsibility and reporting.

Person Specification

There will be a person specification for every post which states the skills, knowledge, experience and personal attributes required for the satisfactory performance of the job. The person specification will provide:

- The basis for an advertisement;
- The criteria for shortlisting;
- The criteria for final selection.

The person specification will enable candidates to be objectively measured so that their skills, attributes and experience can be assessed fairly and without bias against criteria relevant to the post.

The person specification will:

- Clearly define each criterion relevant to the post;
- Only include criteria relevant to the job;
- Restrict statements of length and type of experience to what is necessary for effective performance;
- Only set educational requirements where the qualification is clearly essential for performing the job;
- Only include criteria covering personal qualities if they are directly related to the job.

Attracting Applicants

Camborne Town Council vacancies will be displayed on the Council's website and noticeboards throughout the parish. Other recruitment channels such as Social Media, The Employment Service, local newspapers, national

newspapers, specialist and professional organisations and journals, local schools, colleges, agencies and the Careers Service may also be used depending on the nature of the job.

Internal recruitment will also be considered as part of the Council's commitment to training and development.

The content of any advertisement of a vacancy will include:

- Some brief information about Camborne Town Council;
- A description of the post, including title, grade, role and main responsibilities (reflecting the job description).
- Experience, skills, qualifications and personal qualities required (reflecting the person specification);
- Salary and benefits;
- How to apply;
- Closing date.

Recruitment and Selection Process

A vacancy presents an opportunity to consider restructuring or to reassess the requirements of the job. Vacancies for existing posts will be considered by the Town Clerk and Staffing Committee who will make an assessment of the job function, work patterns, changes since the existing post was introduced and any anticipated future changes. With the exception of a vacancy for the Town Clerk, recommendations will then be made to the Staffing Committee only for approval.

These will include

- The job description;
- Person specification;
- Hours of work;

- Salary and benefits;
- Recruitment channels;
- The design and content of any advertisement to be used.
- Selection methods in addition to interview e.g. presentations, psychometric testing, practical exercises.

In the case of a vacancy for the post of Town Clerk and all new posts, the Staffing Committee will make recommendations to the Full Council for approval.

Shortlisting

Applicants will be shortlisted for all vacancies by the Town Clerk and appointed members of the Staffing Committee. In the case of a vacancy for Town Clerk, the shortlisting will be done by the Chairman of the Standing Committees and the Mayor. (The Vice Chairman of the relevant Committee and Deputy Mayor may substitute if necessary) In all cases the shortlisting criteria will be clearly set out in the person specification; each applicant will be assessed against the criteria and scored as follows:

- 0 – Not Met
- 2 – Partially Meets
- 3 – Mostly Meets
- 4 – Fully Meets.

The Town Clerk will provide the Administrative Assistant with a list of candidate numbers to be invited for interview immediately following the shortlisting. The Administrative Assistant will send letters inviting candidates to interview and also letters of regret to those who have been unsuccessful.

No Councillor or employee should be involved in an appointment where they are related to the applicant or have a close personal relationship outside work with them. In this circumstance, the Councillor or employee should declare that this applies and remove themselves from the process. Alternative arrangements for selection will be then arranged.

Interviews

Interviews will be conducted by a panel most appropriate to the role which will include Member(s) of the Staffing Committee. Interviews will be carefully planned and questions prepared in advance using the person specification. The panel will also assign roles in advance of the interview process.

All applicants will be questioned on the same areas of knowledge, experience etc. and using the scoring matrix. Additional assessment methods may be used, depending on the post, to test skills in relation to job duties and to enable candidates to show their full abilities. Any special requirements that a candidate may have (e.g. due to a disability) will be accommodated as much as possible.

Selection

The panel will have authority to make the appointment and the Chairman of the panel will telephone the applicants to inform them of the decision as soon as possible following the interviews. In the case of a vacancy for the post of Town Clerk, recommendations will be made to Full Council for approval and the Mayor will telephone the applicants.

Any offer of employment is conditional, subject to references and medical clearance; this must be clearly stated in the verbal offer and subsequent offer letter that will be sent. A medical questionnaire will also be sent with the conditional offer. Once a conditional offer has been made and accepted, references will be taken up and a pre-employment medical assessment arranged (this is decided by Occupational Health after seeing the person's medical questionnaire). Any adjustments to the post or environment that are needed because the person has declared a disability, or as a result of the medical assessment, will be assessed by Occupational Health. Camborne Town Council will work, as much as possible, with the candidate to ensure all reasonable adjustments are made. The Town Clerk will send a final offer letter and statement of particulars subject to all checks proving to be satisfactory. Employment will not commence until this final offer letter has been sent and written confirmation of acceptance received.

Recruitment and Selection records

Each person taking part in the selection process must keep adequate and sufficient records of applicants, shortlists and selected candidates so that the Council would be able to respond to any claims of unlawful discrimination. The selection panel must be able to demonstrate why candidates were and were not shortlisted or selected by reference to the person specification and notes taken during the selection process.

Retention of Recruitment Documents

All original application forms, references and interview notes/assessments must be returned to the Town Clerk who will keep them for six months. Information relating to employees will be kept on their personnel file.

Probation

All employees joining the Council will be placed on a six-month probationary period which may be reduced or extended at the discretion of the Staffing Committee following. During this time employees are expected to settle in to their role and demonstrate that they meet standards required in terms of performance, conduct and attendance.

Monitoring effectiveness

The Recruitment and Selection Policy and Procedures will be reviewed as a continuous process following any vacancy and change in relevant legislation. Regular monitoring is also intended to ensure that equal opportunities policies are being actively pursued and that internal candidates are receiving the same consideration as external candidates.

2.2 References Policy

Providing references

Camborne Town Council will use all reasonable skill and care to make sure the facts contained in the reference are accurate and the opinions expressed in the reference are reasonable.

Camborne Town Council will only provide written references.

All references must be signed by the Town Clerk as Proper officer.

Any employee or Councillor may provide a personal reference, but such references must state that they are provided by the author in his or her capacity as a friend or work colleague and do not constitute the official view of Camborne Town Council. No such reference should be provided on official letter headed paper.

Requesting references

Camborne Town Council will request all references by sending the Council's Request for Reference form.

2.3 Changes to personal details

To help us to assist you, especially in cases of emergency, it is essential that all information on your staff records is complete, correct and up to date. Please let us know as soon as possible any changes to your personal details and we will make the appropriate amendments.

Your personal information is confidential and will not be released to outside sources without your prior authorisation.

2.4 Disclosure and Barring Service (DBS) Checks

Certain employees of Camborne Town Council may be required to undergo a criminal records office check. This is only in very special circumstances where your employment with us means you are likely to come into contact with children or vulnerable adults (or certain other particular circumstances). Should this be the case, we will discuss the situation with you.

2.5 Induction Policy

We are keen that you have every assistance to help you settle into your role quickly. Your induction programme sets out what to expect on your first day and the induction process we will follow. You will meet your colleagues and you will receive information on Camborne Town Council, your terms and conditions of employment, policies and procedures, health and safety.

If there is anything you need to know about Camborne Town Council or what is required of you in your role, please ask your line manager.

A well-structured induction process has been shown to contribute significantly to motivating and retaining newly appointed employees.

Purpose

To provide an effective well-structured induction process to integrate all newly appointed employees quickly into the Town Council.

Scope

All employees, whether full time, part time, fixed term contract, agency workers or temporary staff. The length and content of the induction will vary to meet the needs of the employee and based on their appointed role.

Policy Statement

Camborne Town Council is committed to providing an induction process for all newly appointed employees. During the Induction process, the line manager will provide the new employee with information about the Town Council and their role, including:

- Structure of the Council and the department/team;
- The role and its key responsibilities;
- Fire and Health & Safety policy and procedures;
- Expected standards of behaviour;
- Probationary periods;
- Town Council policies, including equal opportunities, disciplinary & grievance and sickness & absence.

Working at the Town Council

3.0 Working at the Town Council

3.1 Standards of Performance and Behaviour at Work

Appearance

Camborne Town Council does not seek to inhibit individual choice in relation to your appearance. However, you are expected to dress appropriately at all times in relation to your role, and to ensure that your personal hygiene and grooming are properly attended to prior to presenting yourself at work.

All employees who are uniformed are required to wear the uniform provided and agreed by the Town Council, this includes Personal Protective Clothing. Employees are required to wash their own uniform. Employees who are required to wear a uniform will be provided with an adequate number of quality uniforms by the Town Council.

If you have any queries about what is appropriate, these should be directed to your line manager.

Personal Property

Any personal property such as jewellery, cash, credit cards, clothes, cars, motorbikes or bicycles etc. left on Camborne Town Council premises is done so entirely at your own risk. You are strongly advised not to leave any valuables unattended, either on our premises, our vehicles or in your own vehicle. Camborne Town Council does not accept liability for loss or damage to any personal property whatsoever.

Telephones & Correspondence

Town Council telephone / mobile phone or postal facilities must not be used for private purposes without prior permission from your line manager. If, for any reason, personal use is made of these items then arrangements must be made to pay the cost price of all services used. Abuse of these facilities will be considered a potential disciplinary matter.

Smoking and Other Substances at Work

Legislation exists which makes it illegal to smoke in enclosed public spaces. Smoking (including e-cigarettes) is therefore strictly prohibited on all Town Council premises (including entrances and exits) and vehicles.

Bringing alcohol or any unlawful drugs to the workplace, and / or imbibing them there is strictly prohibited both during work time or during a period prior to work where the effects carry over to the workplace. Any such instances will be dealt with under the disciplinary procedure and may lead to your dismissal.

Confidentiality

It is a condition of your employment that you have a duty of confidentiality with regards to Camborne Town Council.

During the course of your employment you may find yourself in possession of sensitive information, the disclosure of which could be construed as a breach of confidentiality. It is a condition of your employment that you have a duty of confidentiality to the Town Council, and you must not discuss any Town Council sensitive or confidential matter whatsoever with any outside organisation including the media.

Any such breach of confidentiality would be deemed as gross misconduct except as otherwise provided or as permitted by any current legislation (e.g. the UK Public Interest Disclosure Act 1998) and could lead to dismissal.

All staff must make themselves familiar with the Town Council's Internet & Email Policy available from your line manager.

Receipt of Gifts

Your working relationships may bring you into contact with outside organisations where it is normal business practice or social convention to offer hospitality, and sometimes gifts. Offers of this kind to you or your family can place you in a difficult position. Therefore no employee or any member of his or her immediate family should accept from a supplier, customer or other

person doing business with Camborne Town Council, payments of money under any circumstances, or special considerations, such as discounts or gifts of materials, equipment, services, facilities or anything else of value unless:

- They are in each instance of a very minor nature usually associated with accepted business practice.
- They do not improperly interfere with your independence of judgement or action in the performance of your employment.

In every circumstance where a gift is offered, the advice of your line manager must be sought.

Bribery and other Corrupt Behaviour

The Town Council has a strict anti-bribery and corruption policy in line with the Bribery Act (2010). A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the Town Council, or to obtain or retain an advantage in the conduct of the Town Council's business this will be considered gross misconduct. Similarly accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances you will be subject to formal investigation under the Town Council's disciplinary procedures, and disciplinary action up to and including dismissal may be applied.

3.2 Whistleblowing Policy & Procedure

Context

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- (a) criminal activity;
- (b) miscarriages of justice;
- (c) danger to health and safety;
- (d) damage to the environment;
- (e) failure to comply with any legal [or professional] obligation or regulatory requirements;
- (f) bribery;
- (g) financial fraud or mismanagement;
- (h) negligence;
- (i) breach of our internal policies and procedures [including our Code of Conduct];
- (j) conduct likely to damage our reputation;
- (k) unauthorised disclosure of confidential information;
- (l) the deliberate concealment of any of the above matters.

Purpose

This policy and procedures aim to set out what constitutes whistleblowing and the procedures to follow. Camborne Town Council is committed to compliance with the Bribery Act 2010. The Council actively encourages a culture of honesty and openness and therefore all employees are required to bring up to their manager or other designated person any issue that, in the employee's opinion, might constitute wrongdoing or dangers at work.

Scope

This policy applies to all employees, whether full time, part time, fixed term contract, agency workers or temporary staff (collectively referred to as staff in this policy).

Policy Statement

Camborne Town Council is committed to conducting business with honesty and integrity, and we expect all staff to maintain high standards in accordance with our Code of Conduct]. However, all organisations face the risk of things going wrong from time-to-time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- (a) To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- (b) To provide staff with guidance as to how to raise those concerns.
- (c) To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

Raising a Whistleblowing Concern

A whistleblower is a person who raises a genuine concern relating to suspected wrongdoing or dangers at work. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure [or Anti-harassment and Bullying Policy as appropriate].

If you are uncertain whether something is within the scope of this policy you should seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.

We hope that in many cases you will be able to raise any concerns with the Chair of Staffing Committee OR the Mayor. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases they may refer the matter to the Whistleblowing Officer.

However, where the matter is more serious, or you feel that your line manager OR the Mayor has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- (a) The Whistleblowing Officer, Chair of Staffing Committee.
- (b) The Deputy Mayor.
- (c) The Chairman of the Finance and General Purposes Committee.
- (d) Your Union

Contact details are set out at the end of this policy.

We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or accredited union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer [or one of the other contact points listed below] and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent

whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

External Disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a [customer, supplier or service provider or Councillor]. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your line manager or the Mayor or those mentioned in the list of contacts for guidance.

Investigation and Outcome

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

If you are not satisfied

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts.

Alternatively you may contact the chairman of the Finance and General Purposes Committee or our external auditors. Contact details are set out at the end of this policy.

Protection and Support for Whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform [the Whistleblowing Officer] immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. [In some cases the whistleblower could have a right to sue you personally for compensation in an employment tribunal.]

Responsibility for the Success of the Policy

The Finance and General Purposes Committee has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

The Whistleblowing Officer has day-to-day operational responsibility for this policy and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

The Whistleblowing Officer, in conjunction with the Finance and General Purposes Committee should review this policy from a legal and operational perspective at least once a year.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Whistleblowing Officer OR Finance and General Purposes Committee.

Contacts –

Whistleblowing Officer	Chair of Staffing Committee
Deputy Mayor	Councillor Val Dalley
Chairman of the Finance and General Purposes Committee	Councillor Graham Winter
Camborne Town Council's External Auditors	PKF Littlejohn LLP info@pkf-littlejohn.com
Public Concern at Work	Helpline: (020) 7404 6609
Independent Whistleblowing Charity	E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk

3.3 Employee Data Protection Policy

Purpose

We respect your privacy and we are committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

The Council collects, stores and processes personal data relating to its employees in order to manage the employment relationship. The Council is committed to maintaining the accuracy, confidentiality and security of personal information. This privacy notice sets down how we collect and use personal information about you during and after your working relationship with us.

For the purposes of the Privacy Policy personal information is any information about an employee or contractor that can be used to individually identify that employee or contractor, other than the employee or contractor's business title, or business contact information when used or disclosed for the purposes of business communications.

This privacy notice applies to current and former employees, workers and contractors. This notice does not form part of a contract of employment or any contract to provide services and may be updated at any time.

Data Protection Principles

The Council will comply with data protection law. This means that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have explained to you clearly and not used in any way that is incompatible with these purposes;
- Relevant to the purposes we have told you about and limited to those purposes only;
- Accurate and kept up to date;
- Kept only for such time as is necessary for the purposes we have told you about; and
- Kept securely.

The data we collect about you

The Council collects and processes a range of personal information (personal data) about individuals who seek to be, are or were employed by us. Personal data means any information about an individual from which the person can be identified. This includes:

- References and interview notes;
- Photographs;
- Letters of offer and acceptance of employment;
- Mandatory staff handbook sign-off sheets;
- Personal contact details, such as your name, title, address and contact details, including email address and telephone number;
- date of birth;
- gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Town Council;
- information about your remuneration, including entitlement to benefits such as pensions;
- details of your bank account, tax status and national insurance number;
- information about your marital status, next of kin, dependents and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- copy of driving licence;
- details of periods of leave taken by you, including holiday, sickness absence, family leave, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;

- assessments of your performance, including appraisals, training you have participated in, performance improvement plans and related correspondence;
- CCTV footage and other information obtained through electronic means e.g. swipe card records.

We may also collect, store and use the following special categories of more sensitive personal information:

- information about medical or health conditions, including whether or not you have a disability for which the Town Council needs to make reasonable adjustments;
- details of trade union membership;
- information about your criminal record; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

How is your personal data collected?

The Council collects this information in a variety of ways. For example, data is collected through the application and recruitment process and during work-related activities throughout the period of working for us.

In some cases, the Council collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law. Where this is the case, we will take reasonable steps to ensure that such third parties have assured us that they have the right to disclose your personal information to us and will take measures to protect any personal information provided to them in accordance with this policy.

Data is stored in a range of different places, including in your personnel file, in the Town Council's HR systems and in other IT systems (including the Council's email system). The Council shall at all times use appropriate controls to ensure that the personal information of its employees is kept secure.

How we use your personal data?

The Council needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract.

In addition, the Council needs to process data to ensure that we are complying with our legal obligations, for example, we are required to check an employee's entitlement to work in the UK, for certain positions, it may be necessary to carry out DBS checks to ensure that individuals are permitted to undertake a particular role.

In other cases, the Council has a legitimate interest in processing personal data before, during and after the end of the employment relationship.

Situations in which we will process your personal information are listed below

In order to:

- make decisions about recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details (including details of whom to contact in the event of an emergency), and records of employee contractual and statutory rights;
- check you are legally entitled to work in the UK;
- gather evidence for, and keep a record of, disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- pay you and, in the case of employees, make deductions for tax and National Insurance and Pension
- make decisions about salary reviews and compensation;
- operate and keep a record of employee performance and related processes;
- keep records of training and development requirements;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- ascertain your fitness to work;
- operate and keep a record of other types of leave (such as maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Town Council complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;

- provide references on request for current or former employees;
- deal with legal disputes involving you or other employees, workers and contractors;
- facilitate equal opportunities monitoring in the workplace;
- complying with relevant UK legislation and employment law;
- Ensuring the security of Town Council held information; and
- Such other purposes as deemed reasonable by the Town Council.

If you fail to provide personal data

If you do not provide certain information when requested, the Council may not be able to perform the contract we have entered into with you, such as paying you or providing a benefit. You may also have to provide the Council with data in order to exercise statutory rights, for example in relation to statutory leave entitlements.

Change of Purpose

The Council will only use your personal information for the purpose for which it was collected unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will advise you of this and explain the legal basis which allows us to do so.

You should be aware that we may process your personal information without your knowledge or consent where this is required or permitted by law.

How We Use Sensitive Personal Information

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (for example, in relation to employees with disabilities and for health and safety purposes).

The Council may use other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or philosophical belief, this would be done for the purposes of meaningful equal opportunities monitoring or reporting. Data used by the Town Council for these purposes is anonymized or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Information About Criminal Convictions

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Automated Decision-Making

Our employment decisions are not based solely on automated decision-making.

For how long do you keep data?

The Council will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting or reporting requirements. The period for which your data is held after the end of employment is seven years.

Who has access to data?

Your information is only viewed or used by personnel authorised to do so, including payroll.

The Council shares your data with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. The Council may also share your data with other third parties. In those circumstances the data will be subject to confidentiality arrangements.

Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have an operational need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Your duty to inform Camborne Town Council of changes

It is important that the personal information we hold about you is accurate and current. Please be sure to keep us informed if your personal information changes during your time working with us.

Your Rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request (known as a “data subject access request”);
- require the Council to change incorrect or incomplete data;
- request erasure of your personal information. This enables you to ask the Council to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Council is relying on its legitimate interests as the legal ground for processing; and
- ask the Council to suspend the processing of your personal data for a period of time if data is inaccurate or there is a dispute about its accuracy or the reason for processing it.

Camborne Town Council is the controller and responsible for your personal data (referred to as “we”, “our”, or “us” in this privacy notice.). If you have any questions

about this privacy notice, including any requests to exercise your legal rights, please contact the **Town Clerk** The Passmore Edwards Building, Cross Street, Camborne, TR14 8HA 01209 612406.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

3.4 Disciplinary Policy & Procedure

Introduction

This policy is based on and complies with the 2015 ACAS Code of Practice (<https://www.acas.org.uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work.

https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf

The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible the Council will try to resolve its concerns about staff behaviour informally, without starting the formal procedure set out below.

The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

The policy confirms

- informal coaching and supervision will be considered, where appropriate, to improve conduct and/or attendance
- the Council will fully investigate the facts of each case
- the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of staff underperformance are dealt with fairly and in a way that is consistent with required standards. However the disciplinary policy will only be used when performance management proves ineffective.
- staff will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
- staff will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
- staff may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official – at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.

- the Council will give employees reasonable notice of any meetings in this procedure. The employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions
- if the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with GDPR.
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
- employees have the right to appeal against any disciplinary decision. The appeal decision is final.
- if an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council can include a written warning, final warning or dismissal.
- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it.
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment).

Mediation is a dispute resolution process that requires the consent of affected parties.

Example of misconduct

Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct. The list is not exhaustive.

- Unsatisfactory work performance;
- Breaches of Town Council policies and procedures;
- Refusal to follow reasonable instructions
- Inappropriate behaviour
- Persistent lateness or poor timekeeping;
- Unacceptable levels of absence, especially when unauthorised;
- Serious or repeated failure to follow reasonable requests or instructions;
- Abuse, misuse or neglect of Council property or facilities;
- Bribery offences under the Bribery Act 2010.
- Misuses of the council's resources and facilities including telephone and internet

Example of gross misconduct

- Bullying, harassment or victimisation;
- Gross negligence
- Gross insubordination
- Incapacity at work because of alcohol or drug abuse
- Violent behaviour
- Discrimination on any of the grounds listed in the Councils Equal Opportunities Policy : e.g. race, sex, sexual orientation, religion, disability, age, gender reassignment, marital status or ethnic origin;
- Serious breaches of council policies and procedures
- Serious and deliberate damage to property
- Use of the internet or email to access pornographic, obscene or offensive material
- Disclosure of confidential information

Suspension

If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.

While on suspension the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or councillor.

The employee must not attend work. The Council will make arrangements for the employee to access any information or documents required to respond to allegations.

Examples of unsatisfactory work performance

The following list contains some example of unsatisfactory work performance. The list is not exhaustive.

- inadequate application of management instructions/office procedures
- inadequate IT skills
- unsatisfactory management of staff
- unsatisfactory communication skills

The Procedure

Preliminary enquiries. The Council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.

If the employee's manager believes there may be a disciplinary case to answer, the Council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

Informal Procedures. Where minor concerns about conduct become apparent it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.

If a formal disciplinary investigation is required, the Councils staffing committee will appoint an investigator who will be responsible for undertaking

a fact-finding exercise to collect all the relevant information. the investigator will be independent and will normally be a councillor. If the staffing committee considers that there are no councillors who are independent (for example because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The investigator will be appointed as soon as possible after the allegations have been made. The staffing committee will inform the investigator of the terms of reference of the investigation. The terms of reference should specify.

- the allegations or events that the investigation is required to examine
- whether a recommendation is required
- how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report
- who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.

The investigator will be asked to submit their findings within 20 working days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage – the disciplinary meeting.

The staffing committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets with the investigator, he/she will have the opportunity to comment on the allegations of misconduct.

Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.

If there are other persons who can provide relevant information the investigator should try to obtain it from them in advance of the meeting with the employee.

The investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that

recommends to the staffing committee whether or not disciplinary action should be considered under the policy.

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

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

The investigator will submit the report to the staffing committee, which will decide whether further action will be taken.

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

The disciplinary meeting

If the staffing committee decides that there is a case to answer it will appoint a staffing sub-committee of three councillors to formally hear the allegations. The staffing sub-committee will appoint a Chairman from one of its members. The investigator shall not sit on the sub-committee.

No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employees will be invited in writing to attend a disciplinary meeting. The sub-committee's letter will confirm the following:

- the names of the Chairman and other two members
 - details of the alleged misconduct, its possible consequences and the employees statutory right to be accompanied at the meeting
 - a copy of the information provided to the sub-committee which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure.
-
- the time and place for the meeting. The employee will be given reasonable notice of the hearing so he/she has sufficient time to prepare for it

- that witnesses may attend on the employee's and the Councils behalf and that both parties should inform each other of their witnesses' names at least two working days before the meeting
- that the employee may be accompanied by a companion – a workplace colleague, a trade union representative or a trade union official

The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- the Chairman will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing
- the Chairman will set out the allegations and invite the investigator to present the findings of the investigation report (if there has been a previous investigation)
- the Chairman will invite the employee to present their account
- the employee (or the companion) will set out his/her case and present evidence (including any witnesses and/or witness statements)
- any member of the sub-committee and the employee (or the companion) may questions the investigator and any witness
- the employee (or companion) will have the opportunity to sum up

The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within five working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.

The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

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

1. First written warning

If the employee's conduct has fallen beneath the acceptable standard, a first written warning will be issues. A first written warning will set out;

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

the warning will remain in force for a specified period of time (e.g. 12 months)

2. Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

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

3. Dismissal

The Council may dismiss:

- for gross misconduct
- if there is no improvement within the specified time period, in the conduct which has been the subject of a written warning
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

The Council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she will receive a written statement of the reasons for his/her dismissal stating the date on which the employment will end and details of his/her right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The Appeal

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

The grounds for appeal include

- a failure by the Council to follow its disciplinary policy
- the sub-committee's disciplinary decisions was not supported by the evidence
- the disciplinary action was too severe in the circumstances of the case
- new evidence has come to light since the disciplinary hearing

Where possible, the appeal will be heard by a panel of three members of the staffing committee who have not previously been involved in the case. This includes the investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so the appeal panel will be a committee of the three members of the Council who may include members of the staff committee. The appeal panel will appoint a Chairman from one of its members.

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

At the appeal meeting the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
- explain the action that the appeal panel may take

The employee (or companion) will be asked to explain the grounds for the appeal. The Chairman will inform the employee that he/she will receive the decision and panel's reasons, in writing, usually within five working days of the appeal hearing.

The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is

necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employees file.

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

The appeal panel's decision is final.

Taken from the NALC (Parish/Town/Community/Neighbourhood/Village) Council's Template Disciplinary Policy 2019

Illegal Activity

Where an employee has been found to have acted illegally the disciplinary policy and procedure will be followed and the police will be informed.

Enforcement of the disciplinary policy does not preclude the matter being taken forward/investigated by any additional appropriate regulator or enforcement body.

3.5 Grievance Policy and Procedure

Introduction

This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.or/uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work.

(https://www.acas.org.uk/media/1043/Discipline-and-Grievances-at-work-The-ACAS-guidepdf/DG_Guide_Feb_2019.pdf). It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly and consistently and in accordance with the Equality Act 2010.

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

This policy confirms:

- employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employees case for his/her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.

- the Council will give employees reasonable notice of the date of the grievance/ appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date.
- any changes to specified time limits must be agreed by the employee and the Council.
- an employee has the right to appeal against the decision about his/her grievance. The appeal decision is final.
- information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR).
- audio or video recordings of the proceedings are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of the employee's medical condition.
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after the completion of the grievance procedure.
- if a grievance procedure is upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith.
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication

breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of the affected parties

- Employees can use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a Councillor. Employees can use the informal stage of the council's grievance procedure to deal with all grievance issues, including a complaint about a councillor. Employee cannot use the formal stages of the council's grievance procedure against a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring office of the council who will inform the employee whether or not the complaint can be dealt with under the code of conduct; the employee can make a formal complaint under the council's grievance procedure.
- if the grievance is a code of conduct complaint against a councillor the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. Whatever the complaint the council has a duty of care to its employees. It must take all reasonable steps to ensure the employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination.
- if an employee considers that the grievance concerns his or her safety with the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with his or her line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime.

Informal grievance procedure

The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises the employee should raise it with his/her manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her manager (for example if it concerns the manager) the employee should contact the Chairman of the staffing committee or if appropriate another member of the staffing committee. If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employees and the councillor's consent.

Formal Grievance procedure

If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the staffing committee.

The staffing committee will appoint a sub-committee of three members to hear the grievance. The sub-committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the sub-committee.

Investigation

If the sub-committee decides that it is appropriate, (eg if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigation may include interviews (eg the employee submitting the grievance, other employees, councillor or members of the public).

The investigator will summarise their findings (usually within an investigation report) and present their findings to the sub-committee.

Notification

Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:

- the names of its Chairman and other members
- the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 25 working days of when the Council received the grievance
- the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
- a copy of the Council's grievance policy
- confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of his/her witnesses as soon as possible before the meeting
- confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days notice
- findings of the investigation if there has been an investigation
- an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The grievance meeting

At the grievance meeting:

- the Chairman will introduce the members of the sub committee to the employee
- the employee (or companion) will set out the grievance and present the evidence

- the Chairman will ask the employee questions about the information presented and will want to understand what actions does he/she wants the Council to take.
- any member of the sub-committee and the employee (or the companion) may questions any witness
- the employee (or companion) will have the opportunity to sum up the case
- a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

The Chairman will provide the employee with the sub-committee's decision in writing, usually within five working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

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

Appeals may be raised on a number of grounds eg

- a failure by the Council to follow its grievance policy
- the decision was not supported by the evidence
- the action proposed by the sub-committee was inadequate/inappropriate
- new evidence has come to light since the grievance meeting

The appeal will be heard by a panel of three members of the staffing committee who have not previously been involved in the case. There may be insufficient members of the staffing committee so have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include

members of the staffing committee. The appeal panel will appoint a Chairman from one of its members.

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

At the appeal meeting the Chairman will:

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

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

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

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

The decision of the appeal panel is final.

Taken from the NALC (Parish/Town/Community/Neighbourhood/Village) Council's Grievance Policy 2019

3.6 Mental Health and Wellbeing Policy

Mental health problems and stress can affect anyone, regardless of their position in the Town Council. This policy applies equally to all staff.

Purpose

To create a workplace environment that promotes the mental wellbeing of all employees.

Scope

To tackle workplace factors that may negatively affect mental wellbeing, and to develop management skills to promote mental wellbeing and manage mental health problems effectively. Camborne Town Council aims to create and promote a workplace environment that supports and promotes the mental wellbeing of all employees. We acknowledge that certain working conditions and practices can negatively affect employees' mental wellbeing, including aspects of work organisation and management, and environmental and social conditions that have the potential for psychological as well as physical harm.

Camborne Town Council will:

- Give staff information on and increase their awareness of mental wellbeing.
- Provide opportunities for staff to look after their mental wellbeing, for example through physical activity, stress-buster activities and social events.
- Offer staff flexible working arrangements that promote their mental wellbeing.
- Give all staff the opportunity to influence how they do their jobs, scope for varying their working conditions as far as possible, and opportunities to develop and fully utilise their skills.
- Set staff realistic targets that do not require them to work unreasonable hours.
- Ensure all staff have clearly defined job descriptions, objectives and responsibilities and provide them with good management support, appropriate training and adequate resources to do their job.
- Manage conflict effectively and ensure the workplace is free from bullying and harassment, discrimination and racism.

- Establish good two-way communication to ensure staff involvement, particularly during periods of organisational change.
- Give non-judgemental and proactive support to individual staff who experience mental health problems.
- Deal sympathetically with staff suffering from mental health problems due to circumstances outside the workplace, and who consequently find it difficult to do their jobs properly.
- Give new employees a comprehensive induction programme providing an understanding of the organisation, the established policies and procedures, and the role they are expected to carry out.

Ensure individuals suffering from mental health problems are treated fairly and consistently.

- Encourage staff to consult the occupational health department (if there is one), their own GP, or a counsellor of their choice.
- Investigate the contribution of working conditions and other organisational factors to mental ill health and remedy this where possible.
- In cases of long-term sickness absence, put in place, where possible, a graduated return to work.
- Make every effort to identify suitable alternative employment, in full discussion with the employee, where a return to the same job is not possible due to identified risks or other factors.
- Treat all matters relating to individual employees and their mental health problems in the strictest confidence and share on a 'need to know' basis only with consent from the individual concerned.

Everyone has a responsibility to contribute to making the workplace mental wellbeing policy effective.

Managers and the Staffing Committee have a responsibility to:

- Monitor the workplace, identify hazards and risks and take steps to eliminate or reduce these as far as is reasonably practicable.
- Ensure good communication between management and staff, particularly where there are organisational and procedural changes.

- Assist and support employees who are known to have mental health problems or are experiencing stress outside work – for example due to bereavement or separation.
- Ensure staff are provided with the resources and training required to carry out their job.
- Monitor workloads to ensure that people are not overloaded.
- Monitor working hours and overtime to ensure that staff are not overworking, and monitor holidays to ensure that staff are taking their full entitlement.
- Ensure staff are provided with meaningful developmental opportunities.
- The staffing committee will ensure that staff performing a management or supervisory function have sufficient competence to discharge that function in a manner consistent with the maintenance of mental health in the workplace.

Staff have a responsibility to:

- Raise issues of concern and seek help from their line manager, human resources or occupational health department
- Accept opportunities for counselling when recommended.
- Provide essential information to allow line managers and staffing committee information to provide support as effectively as possible.

3.7 Travel and Subsistence Policy

This policy sets out the limits on travel and subsistence for staff when travelling on Town Council business and the process to follow when T&S will be incurred.

All requests for travel and accommodation should be made to the Town Clerk. Requests should be made in advance and as soon as requirements are known to ensure that the most favourable rates can be obtained.

Staff should book accommodation themselves but this must not cost more than the limits set out below and be value for money

Travel

Staff members should use the transport that offers best value for money overall and public transport when available.

Public Transport

Standard class travel by public transport should be used at all times if possible. First class travel should only be used in exceptional circumstances and be approved in advance by the Town Clerk.

Advanced train tickets should be purchased wherever possible as they are generally lower cost, but where there is uncertainty over the time of travel a flexible ticket should be purchased.

Taxis

Reimbursement of taxi fares is permissible where there is concern over personal safety, limited access to public transport or where a staff member is carrying luggage etc. Special consideration will also be made for staff members with mobility problems.

Flying

Air travel is only supported when a business case can be demonstrated to identify financial savings and carbon offsetting is fully achieved.

Mileage rates

The Town Council will reimburse mileage for the use of staff members' own vehicles in line with Revenue & Customs mileage allowance rates:

- 45p for the first 10,000 business miles in a tax year; then
- 25p for each subsequent mile.

Car sharing should take place whenever possible.

Accommodation

Where staff cannot be reasonably expected to make a return journey to and from their destination in the same day, an overnight stay should be booked. This should be booked at the lowest reasonable cost and within the guideline rates where possible.

The guideline rates are currently £85 per night for outside London and £110 per night for London.

The Town Clerk must sign off any booking over the guideline rates.

In addition to the above rates, staff can book breakfast at their accommodation.

Subsistence

The Town Council will reimburse the cost of refreshments on journeys required for Town Council business, including the cost of meals related to overnight stays.

Costs incurred should be reasonable and not exceed £10 for lunch or £20 for an evening meal.

For day travel, costs for breakfast will only be refunded where travel is before 8am.

Under no circumstances will Camborne Town Council reimburse the purchase of alcohol.

Expenses Claim Form

The expenses claim form is available upon request.

It should be filled out and signed by the employee and the Town Clerk. All claims must be supported by appropriate VAT receipts or evidence of expenditure where receipts cannot be provided.

Expense claims should be submitted no later than 30 days after the costs are incurred.

3.8 Lone Working Policy

Where the conditions of service delivery or its associated tasks require staff to work alone, both the individual staff member and their Line Manager have a duty to assess and reduce the risks which lone working presents.

This policy should be read in conjunction with the Council's Health & Safety policies.

Purpose

This policy is designed to alert staff to the risks presented by lone working, to identify the responsibilities each person has in this situation, and to describe procedures which will minimise such risks. It is not intended to raise anxiety unnecessarily, but to give staff a framework for managing potentially risky situations.

Scope

This policy applies to all staff who may be working alone, at any time, in any of the situations described in the definition below.

Volunteers must not be expected to work alone and so should be outside the scope of this policy

Context

Some staff work outside office hours and/or alone due to flexible working patterns and/or to undertake their job role, attending evening meetings for example. The Council aims to support lone workers by:

- a commitment to supporting staff and managers both in establishing and maintaining safe working practices;
- recognising and reducing risk;
- a commitment to the provision of appropriate support for staff;
- a clear understanding of responsibilities;
- the priority placed on the safety of the individual over property;

- a commitment to providing appropriate training for staff, and
- ensuring equipment such as mobile phones will be made available as appropriate.

Definition

Within this document, 'lone working' refers to situations where staff in the course of their duties work alone or are physically isolated from colleagues and without access to immediate assistance. This last situation may also arise where there are other staff in the building or place of work, but the nature of the building itself may essentially create isolated areas.

Mandatory Building Procedures

Security of buildings

Line Managers and their employees must ensure that:

- All appropriate steps are taken to control access to the building and that emergency exits are accessible.
- Alarm systems are tested regularly – both fire and intruder.
- When working alone they are familiar with exits and alarms.
- There is access to a telephone and first aid kit.
- If there is any indication that the building has been broken into, they call for assistance before entering.
- Sign in and sign out procedures are followed.

Personal safety

Staff should avoid working alone if not necessary and where possible the final two people should leave together.

Staff must not assume that having a mobile phone and a back-up plan is a sufficient safeguard in itself. The first priority is to plan for a reduction of risk.

Staff should take all reasonable precautions to ensure their own safety, as they would in any other circumstances.

Before working alone, an assessment of the risks involved should be made in conjunction with the Line Manager.

Where required, staff must ensure that they sign in and out of building registers.

Staff must inform their Line Manager or other identified person when and where they will be working alone, giving accurate details of their location and following an agreed plan to inform that person when the task is completed. This includes occasions when a staff member expects to go home following an external commitment rather than returning to their base.

If a member of staff does not report in as expected an agreed plan should be put into operation, initially to check on the situation and then to respond as appropriate using emergency contact information if necessary.

Arrangements for contacts and response should be tailored to the needs and nature of the team taking into account the identified risks

Where members of staff work alone for extended periods and/or on a regular basis, managers must make provision for regular contact, both to monitor the situation and to counter the effects of working in isolation.

Staff working away from the office should ensure that they have access to a mobile phone at all times, whether Council or personal. Where a personal phone is used the Council will reimburse the costs of any calls. Members of staff are responsible for checking that the mobile phone is charged, in working order and with sufficient credit remaining with the relevant provider, where appropriate.

Assessment of risk

In drawing up and recording an assessment of risk the following issues should be considered, as appropriate to the circumstances:

- The environment – location, security, access.
- The context – nature of the task, any special circumstances.

- The individuals concerned – indicators of potential or actual risk.
- History – any previous incidents in similar situations.
- Any other special circumstances.

All available information should be taken into account and checked or updated is necessary. Where there is any reasonable doubt about the safety of a lone worker in a given situation, consideration should be given to sending a second worker or making other arrangements to complete the task.

Practice Guidance – Personal Safety

'Reasonable precautions' might include:

- checking directions for the destination;
- ensuring your car including official Council transport, if used, is road-worthy;
- ensuring someone knows where you are when not at your normal place of work;
- avoiding where possible poorly lit or deserted areas;
- taking care when entering or leaving empty buildings, especially at night;
- ensuring that items such as laptops or mobile phones are carried discreetly.

Monitoring and Review

Any member of staff with a concern regarding lone working issues should ensure that it is discussed with their manager.

3.9 Home Working Policy

Camborne Town Council provides services across a dispersed range of sites and facilities. In some circumstances home working may be a viable option for both the organisation and the individual member of staff. Home working should not be treated as a benefit. There must be a clear business need based on a formal assessment process based relating to the work activity that needs to be undertaken from home.

Purpose or aim

The purpose of this policy is to set out the criteria and arrangements for home working and to provide a framework for a consistent approach.

Scope

This policy applies to Town Council Management staff only.

Definition of home working:

Major Home Working: This is when an employee spends a regular and substantial proportion or all of her/his working week working from home. The employee uses part of her/his home as a workstation; with no need for the Town Council to provide a dedicated workstation. It is envisaged that this would normally amount to no less than 80% of weekly normal working time. It is not expected that many Town Council staff will be employed on this basis.

Minor home working: This is when an employee uses part of her/his home as a workstation on an ad-hoc basis to complete a specific task or on a regular basis but for a minor part of her/his working time. In this case the Town Council needs to continue to provide access to a workstation within its premises.

Policy description

Home environment and facilities

When staff are working from home or any other non Town Council location, they must act in a professional way at all times during working hours. This includes satisfying all policies and reasonable management instructions. The focus of their attention should be on working matters and they should be available to attend a place of work without notice. Staff must not have the role of principal carer while working from home. Material may not be saved to the hard drive of a personally owned PC (or other electronic device) or circulated electronically

outside of the Town Council. All staff permitted to work from home must attend to their own health and safety. Staff should assess their home working arrangements annually.

If, whilst working at home, an employee's IT system goes down and is expected to be down for an extended period, the employee may be expected to come into the office to work.

Meetings at home

Meetings should not normally take place at home. Service users should never meet with staff at home.

Agreements for homeworking

The Town Clerk must confirm details of the regular homeworking arrangements to the employee in writing. The manager and individual will sign this home working agreement with a copy kept on their file. Approved regular home working arrangements will be subject to an agreed 3-month trial period before final agreement. If thought necessary, the trial period may be extended or curtailed.

Monitoring and review

The Town Council reserves the right to visit the homes of those who work from home to inspect health and safety arrangements or the provisions for the management of confidential material. An inspection may be carried out at any time an employee is expected to be working at home. This may be as part of annual audit of "health and safety for home workers".

Associated costs and liabilities for home working

An employee who chooses to work from home would not be entitled to tax relief on additional outgoings. As there is no requirement to work from home there would be no tax relief on any proportion of the costs for heating, lighting and rent on rooms used for home working. The Town Council does not accept any liability for costs or other issues relating to home working except where these are specifically identified in this policy. It is the responsibility of the employee to confirm their own tax and insurance provisions are appropriate to their needs. Employees planning to work from home under any circumstances are responsible for informing their own insurance as this may affect their domestic insurance. The use of equipment owned by the Town Council must be identified. Similarly,

a mortgage provider may need to be advised. Staff living in council or private rented accommodation may need to notify their landlord and examine the terms of their lease. The Town Council accepts that it is liable for accidents caused by the authorised use of Town Council equipment when used at home in accordance with any instructions. If the area being used for home working is also used by other occupants of the property there may be no implications for Council Tax. If the area is solely used for business and not available to other occupants at other times, then this may be a change of definition and the employee should check their individual circumstances with their local council.

Provisions for minor home working

Employees are not permitted to work from home routinely without the permission of the Town Clerk. Staff may request minor home working access. Any permission may be withdrawn at any time without notice. Permissions will be reviewed during employee appraisals. The Town Clerk will review Minor Home Working arrangements annually.

Provisions concerning major home working

A business case must be completed before any post can be designated as a Major Home Working Post. An account of what materials will be provided, and costs funded by the Town Council, must be considered when making decisions about home working. The Town Council must reflect on the importance of team working, before determining that a post is suitable for Major Home Working. Only the Town Clerk may authorise an agreement to provide or remove a Major Home Working provision. The Town Clerk should undertake a risk assessment before any Major Home Working arrangement starts. This should address the employee's health and safety and also provisions for professional working including confidentiality. A major home working arrangement may be ended with the agreement of the Town Clerk and the employee at any time.

The Town Council may end an agreement where the reason for change relates to:

- conduct of the employee: An arrangement may be ended as an alternative to dismissal following a process set out in the Disciplinary Policy and Procedure.
- general capability of the employee. An arrangement may be ended as an alternative to dismissal as appropriate.
- the ill health of the employee. The arrangement may be ended as an alternative to dismissal following a process set out in the Managing Sickness and Absence Policy. Where an employee temporarily cannot work

from home, they must contact the Town Council immediately and agree a temporary alternative place of work.

Where an employee moves home, the Town Clerk and employee should review all agreed arrangements, risk assessments and conditions. When staff are based at home sufficient arrangements must be put in place for supervision and to ensure that they do not become isolated from the team

Employees must:

- Ensure that their property is insured for any work at home and that their insurers are notified of this work.
- Provide and maintain any equipment, to an appropriate standard to facilitate working from home.
- Be familiar with any personal tax issues relating to working from home and to alert the tax authorities when required to do so.
- Consult with local authorities about any council tax liabilities arising from working from home.
- Undertake and maintain up to date risk assessments of facilities utilising the form attached at Appendix B.
- Report any to their manager. damage or significant “wear and tear” to equipment provided by the Trust at the earliest opportunity Deliver to a Trust office, determined and requested by the IMT department, any computer equipment for repair, modification or PAT testing.

The Town Council must:

- Give reasonable consideration to all requests for minor home working based on valid business reasons.
- Ensure that home working arrangements are in line with this policy and regular conversations takes place to review the home working arrangements.
- Ensure that sufficient management arrangements are in place to support staff working from home. This will include ensuring staff are not isolated, and that regular supervision and team meeting arrangements are in place.
- Ensure that inspections take place, as required, in relation to occupational health, health and safety and confidentiality.
- Ensure a regular conversation takes place to review the home working arrangements.
- Provide the appropriate IT equipment to carry out the role.

The Town Clerk will ensure that home working is only approved and supported when an acceptable business case has been made for it.

3.10 Email and Internet Policy

Context

Staff are encouraged to use the email and internet at work as a fast and reliable method of communication with significant advantages for the Council. In light of the fact that communications made by employees and their other activities online reflect upon the Council and are capable of creating a number of commercial, professional, and legal problems, this Policy is intended to clarify what the Council expects from staff and their responsibilities when using the Council's communications, email, and internet facilities.

The Council's Internet and Communication Facilities include:

Telephone;

Fax;

Email;

Internet;

Intranet;

Whilst the Council's Internet and Communications Facilities are made available to employees for the purposes of their work, a certain amount of limited personal use is permitted insofar as such personal use is consistent with this Policy and the duties of the employee

In addition to this Policy, when using the Town Council's Internet and Communications Facilities, employees must also comply with other Town Council Policies including the Town Council's Data Protection Policy and Equal Opportunities Policy.

Any employee who is unsure about whether or not something they propose to do might breach this email and internet policy should seek advice from their line manager.

Technology and the law change regularly and this policy will be updated to account for changes as and when necessary. Employees will be informed when the policy has changed, but it is their responsibility to read the latest version of this document.

The aim of these rules is to be helpful, and to set guidelines on the use of email and the internet at work for the smooth and efficient running of the business.

If there is anything in these rules that an employee considers to be unworkable or does not understand, they should notify their manager or the Town Clerk.

Scope

This policy applies to all employees, whether full time, part time, fixed term contract, agency workers or temporary staff (collectively referred to as employees in this policy).

Use of email

Contents of emails

Emails that employees intend to send should be checked carefully. The use of email to send or forward messages that are defamatory, obscene or otherwise inappropriate will be treated as misconduct under the appropriate disciplinary procedure. In serious cases, this could be regarded as gross misconduct and lead to summary dismissal.

Equally, if an employee receives an obscene or defamatory email, whether unwittingly or otherwise and from whatever source, they should not forward it to any other address.

CCing

Employees should exercise care not to copy emails automatically to all those copied into the original message to which they are replying. Doing so may result in disclosure of confidential information to the wrong person.

Attachments

Employees should not attach any files that may contain a virus to emails, as the Council could be liable to the recipient for loss suffered. The Council has virus checking in place but, if in doubt, employees should check with their Line Manager in the first instance.

Employees should exercise extreme care when receiving emails with attachments from third parties, particularly unidentified third parties, as these may contain viruses.

Personal use of email

Although the email system is primarily for business use, the Council understands that employees may on occasion need to send or receive personal

emails using their work address. When sending personal emails, employees should show the same care as when sending work-related emails.

When and how email will be monitored

The Council considers the following to be valid reasons for checking an employee's email:

- If the employee is absent for any reason and communications must be checked for the smooth running of the Council to continue.
- If the Council suspects that the employee has been viewing or sending offensive or illegal material, such as material containing racist terminology or nudity (although the Council understands that it is possible for employees inadvertently to receive such material and they will have the opportunity to explain if this is the case).
- If the Council suspects that an employee has been using the email system to send and receive an excessive number of personal communications.
- If the Council suspects that the employee is sending or receiving emails that are detrimental to the Council.

Use of internet

Sensible internet use

Where employees are allowed access to the internet at work, they are expected to use it sensibly and in such a manner that it does not interfere with the efficient running of the Council. Employees may be called upon to justify the amount of time they have spent on the internet or the sites that they have visited.

The Council does not currently impose any time limitation on work-related internet use. It trusts employees not to abuse the latitude given to them, but if this trust is abused it reserves the right to alter the policy in this respect.

Removing internet access

The Council reserves the right to deny internet access to any employee at work, although in such a case it will endeavour to give reasons for doing so.

Downloading files and software

Employees should download files on to only computers with virus-checking software and should check how long the download will take. If there is any uncertainty as to whether or not the software is virus-free or whether or not

the time the download will take is reasonable, the relevant line manager should be consulted.

Personal use of the internet

Although the email system is primarily for business use, the Council understands that employees may on occasion need to use the internet for personal purposes. Employees may access the internet at work for personal purposes provided that:

- the internet is not used to access offensive or illegal material, such as material containing racist terminology or nudity;
- they do not enter into any contracts or commitments in the name of or on behalf of the Council; and
- they do not arrange for any goods ordered on the internet to be delivered to the Council's address or order them in the Council's name.

When and how internet use will be monitored

The Council reserves the right to monitor employees' internet usage, but will endeavour to inform an affected employee when this is to happen and the reasons for it. The Council considers the following to be valid reasons for checking an employee's internet usage:

- If the organisation suspects that the employee has been viewing offensive or illegal material, such as material containing racist terminology or nudity (although the Council understands that it is possible for employees inadvertently to view such material and they will have the opportunity to explain if this is the case).
- If the Council suspects that the employee has been spending an excessive amount of time viewing websites that are not work related.

Data protection

Monitoring of an employee's email and/or internet use will be conducted in accordance with an impact assessment that the Council has carried out to ensure that monitoring is necessary and proportionate. Monitoring is in the Council's legitimate interests and is to ensure that this policy on email and internet use is being complied with.

The organisation has appointed Samantha Hughes shughes@camborne-tc.gov.uk as its data protection officer.

The information gathered through monitoring will be retained only long enough for any breach of this policy to come to light and for any investigation to be conducted.

Information obtained through monitoring will not be disclosed to third parties (unless the organisation is under a duty to report matters to a regulatory authority or to a law enforcement agency).

Staff have a number of rights in relation to their data, including the right to make a subject access request and the right to have data rectified or erased in some circumstances. You can find further details of these rights and how to exercise them in the Town Council's Employee [Data](#) Protection Policy. If workers believe that the organisation has not complied with their data protection rights, they can complain to the Information Commissioner.

3.11 Social Media Policy

Introduction

The widespread availability and use of social networking applications brings opportunities to understand, engage and communicate with audiences in new ways. It is important that the Council is able to use these technologies and services effectively and flexibly.

However, it is also important to ensure that the Council balances this with its duties to its services users and partners, its legal responsibilities and its reputation. The policy requirements in this document aim to provide this balance to support innovation whilst providing a framework of good practice. Social media must be used sensibly and responsibly, in line with Camborne Town Council's policies.

Purpose

This policy is to ensure:

- that the Council is not exposed to legal and governance risks
- that social media is used sensibly and responsibly by Council employees, in line with the Council's wider policy framework
- that the reputation of the Council, Councillors, staff, partner organisations, and government agencies is not adversely affected
- that our users are able to clearly distinguish where information provided via social networking applications is legitimately representative of the Council. This policy is divided into two sections
- Personal use of social media by Council employees
- Business use of social media by Authorised Officers of the Council Best practice for Town Councillors in their use of Social Media is set out in a separate document, entitled Social Media Guidance for Councillors.

Scope

This policy encompasses all employees of the Council who use social media on a personal basis in their own time and use on behalf of the Council.

Risks

An employer may be liable for discriminatory acts carried out by their Staff. This principle is set out in the Equality Act 2010 which provides that: 'an act carried out by a person "in the course of their employment" is treated as also having been done by their employer'.

Staff can also put themselves at risk if they misuse social media, either during the employment of the Council or whilst using social media in a personal capacity.

The individual(s) concerned could be liable to disciplinary action, including dismissal. The following risks have been identified with the use of social media.

This is not an exhaustive list and is, therefore, for guidance only:

- Civil or criminal action relating to breaches of legislation or copyright.
- Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.
- Virus or other malware (malicious software) infection, this could be via shortened URLs, which are commonly used in Tweets.
- Criminals hijacking valid user accounts by trying common passwords to gain access.
- Social engineering attacks (also known as 'phishing').
- Damage to user's career and to the reputation of the Council by posting unguarded or inappropriate comments.
- Disclosure of confidential information.
- Bullying or harassment.

In light of these risks, the use of social media is regulated to ensure that such use does not damage the Council, its staff, Councillors, partners and the people it serves.

As such, this policy aims to ensure that:

- a consistent and corporate approach is adopted and maintained in the use of social media
- Council information remains secure and is not compromised through the use of social media
- users operate within existing policies, guidelines and relevant legislation the Council's reputation is not damaged or affected adversely.

Personal use of social media by Town Council employees

This Policy applies to all Town Council employees (including temporary staff who work for the Town Council for any period of time) who use personal social media in their own time or who plan to use it in the future.

All employees are required to adhere to this policy and it should be noted that any breaches of this policy may lead to disciplinary action.

Camborne Town Council recognises that many employees make use of social media in a personal capacity outside of work and that they are responsible for their own activities and statements.

Although they are not acting on behalf of the Council, employees and Members must be aware that their actions on their personal social media accounts could potentially damage the reputation of the Council, especially if they have specified their role and/or employer as part of their social media accounts.

This means that, when using social media in their personal life, an employee must

- not engage in activities on the internet that might bring the Council, its employees or Councillors into disrepute
- use caution if posting any comment regarding public policy or political party matters
- consider whether a comment would make it difficult to fulfil their normal work duties (e.g. in respect of a political matter)
- be aware that matters become particularly sensitive during a pre-election period
- not use social media to post critical comments about the Council, fellow employees or Town Councillors that could damage the reputation of the Town Council, any individual officer or a Councillor
- not use information obtained in the course of Council employment, which is subject to a duty of trust and confidence, as the basis for any post
- not use Camborne Town Council branding, graphics (including Town Council photographs) or literature on personal social media pages
- be aware that any reports of inappropriate activity, linking them to the Council, will be investigated
- be mindful of how comments and information may be perceived by others adhere to the Council's Members' and Officers' Protocol when contacting a Councillor via Social Media and maintain professional standards of conduct at all times.

- not accept 'friend' requests from organisations, which could be considered to compromise the independence of decisions made during the course of your work.

Business use of Council social media by Authorised Officers

The Council's use of social media will be managed by the Engagement Officer, in consultation with the Town Clerk.

No other Council employees will be permitted to set up accounts, groups, pages or profiles on behalf of the Council.

Other Council employees can only engage in social media activity on behalf of Camborne Town Council with the express permission of the Town Clerk and they must also adhere to the contents of this policy.

When using Council social media, staff should always be professional and remember that they are an ambassador for the Council.

Any communications that staff or Councillors make through Council social media must not

1. Bring the organisation into disrepute, for example by:
 - criticising or arguing with customers, colleagues, Councillors, the Council or other organisations
 - making defamatory comments about individuals or other organisations or groups
2. Breach confidentiality, for example by:
 - giving away confidential information about an individual (such as a colleague or customer contact) or an organisation
 - discussing the organisation's internal workings or its future business plans that have not been communicated to the public.
3. Breach copyright, for example by;
 - using someone else's images or written content without permission
 - failing to give acknowledgement where permission has been given to reproduce something

- 4 Be considered discriminatory against, or bullying or harassment of, any individual, for example by making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, being married or in a civil partnership, religion or belief or age.
5. Be used for political purposes or specific political campaigning purposes.
- 6 Seek to promote Councillors' social media accounts during the pre-election period. The Council will continue to publish important service announcements using social media but reserves the right to remove responses if they are overtly party political.
7. Compromise their own safety when placing information on the internet and must not publish information which could leave them vulnerable.

Employees should be aware that misconduct arising from the misuse of social media will be treated in the same way as any other form of misconduct and in line with the Council's disciplinary rules and procedure.

If a member of staff or Councillor receives any threats, abuse or harassment from members of the public through their use of social media as part of their work they must report such incidents immediately to the Town Clerk.

This policy and guidelines are in addition to any professional standards that govern employees' area of work and all other Council policies which employees are expected to comply with.

3.12 Overtime Policy

Introduction

The Council may, as required from time to time according to the needs of the business, ask employees to work overtime. Employees are reasonably expected to be available for overtime as and when required. All overtime should be expressly agreed in advance with the employee's line manager.

This policy is issued by way of guidance only. It does not form part of an employee's contract of employment or otherwise have any contractual effect. This policy may be varied, withdrawn or replaced at any time by the organisation at its absolute discretion.

Definition of "overtime"

Employees will be considered to be working overtime when they work outside their core hours of employment and/or exceed their [daily/weekly/monthly] contractual hours.

An employee may reasonably be asked to vary their working hours start/finish times as requested by the line manager for the needs of the Council. Where an employee works their contractual hours only, they will not be entitled to overtime for hours worked outside their core hours.

Requests for overtime by employees

Where an employee requests/volunteers to work overtime, they should seek the authorisation of the line manager. All overtime requires express written authorisation.

Any employee who requests/volunteers to work overtime that will mean working over 48 hours in one week should have signed the Council's form to agree to opt out of the 48-hour working week. If the employee has not signed this agreement, they should do so before the request will be authorised.

The line manager should make it clear to the employee what remuneration, if any, they will be entitled to receive for working additional hours, as set out below.

Requests for overtime by the Council

Where an employee is required to work overtime, the line manager should ensure that the employee's agreement to work additional hours will not result in a breach of the Working Time Regulations 1998. If the employee is required

to work over 48 hours in one week, the line manager should ensure that the employee has signed the Council's form to agree to opt out of the 48-hour working week and should make it clear to the employee what remuneration, if any, they will be entitled to receive for working additional hours, as set out below.

The employee should not unreasonably refuse the manager's request to work overtime.

Breaks

Employees working overtime are entitled to a minimum unpaid break of 20 minutes after working for six hours.

Annual leave

Employees will not accrue any additional annual leave (over and above their contractual entitlement) for any overtime hours worked.

Overtime pay

If an employee is eligible, they will be entitled to overtime pay from the Council in accordance with the National Joint Council for Local Government Services National Agreement on Pay and Conditions Sickness Scheme. If you require further information, please contact the Town Clerk

3.13 Flexi Time Policy

Context

The Council recognises the commitment and hard work of all staff and understands that individuals may, at some time in their working lives, find it difficult to maintain a balance between their professional and personal commitments.

The Council also understands that the promotion of flexible working patterns can reduce unauthorised absences from work and employee stress, and in turn promote a good work-life balance and improve performance and productivity.

One way for the Town Council to do this is to offer flexitime, whereby employees work their total number of contractual hours, but are permitted flexibility as to when they begin and end a day or shift.

It is likely that employees eligible to work flexi time will be mainly Officers, based within the Office and the Town Council's employees engaged in work where service and operational needs require hours of work to be fixed or shift-working, will not be eligible for flexi time working.

The Town Council is keen to encourage the use of flexi time working where, and provided that it helps or improves service delivery and enables the Town Council to achieve its objectives. Service delivery shall at all times take precedence over the application of this policy and it will be the responsibility of the Town Clerk to determine, in consultation with their staff, the levels of staffing and arrangements within their service needs to fulfil this requirement.

When **flexitime** can operate

Requests to work flexitime can be made only by Officers who have the statutory right to request flexible working. This right applies only to employees who have a minimum of 26 weeks' continuous service with the organisation.

Requests from part-time employees to work flexitime will be considered on the same basis as requests from full-time employees.

How **flexitime** works

Each employee who is covered by a flexitime arrangement can vary their hours around the core working periods.

The employee can work extra hours and use these later to take time off work. The employee can, if they wish, accrue a surplus of hours to take later, up to a maximum of 14 hours within the monthly flexitime period.

Employees are not allowed to take time off that has not been accrued. In other words, an employee is not allowed to use flexitime to work less than seven hours in a day when they have not worked the time in advance to accrue this time off.

Employees who are taking time off using accrued surplus hours that result in their not working the core hours of 9.30am to 11.30am and 2pm to 3.30pm in any one day are required to get their line manager's consent. For example, if an employee is taking a full day off after accruing surplus hours, they must ask the line manager before taking the time off.

Hours of work

The core working periods, during which employees must normally be at work, are 9.30am to 11.30am and 2pm to 3.30pm. The flexitime arrangements apply only from Monday to Friday. Employees cannot work hours under the flexitime scheme on Saturdays and Sundays.

The earliest that an employee can start work is 7.30am and the latest that they can start work is 9.30am. The earliest that an employee can finish work is 3.30pm and the latest that they can finish work is 8pm.

Employees must take a minimum of 30 minutes for lunch. You may take your lunch break between the hours of 11.30am and 2pm.

Record of flexitime hours worked

Employees doing flexitime are required to record their start and finish times, lunch breaks and total hours of work on a monthly flexitime record.

The Town Clerk will review and approve the employee's hours at the end of each month, confirming how much time off an employee has accrued.

Working time limits

An employee working extra hours on a particular day as part of the flexitime scheme must not work more than 10 hours during the day and must take at least a 30-minute lunch break over and above this.

The employer has to comply with working time limits and ensure that workers who do flexitime do not exceed reasonable working hours. The organisation is committed to ensuring that workers' working patterns do not compromise their health.

Monitoring of flexitime

The Town Clerk will monitor the employee's flexitime to ensure that:

- it does not result in overtiredness or underperformance;
- it continues to fit into the organisation's business needs;
- it does not place too much extra burden on their colleagues; and
- the employee is not abusing the flexitime arrangement.

The organisation reserves the right to review the employee's working patterns from time to time.

Disciplinary action

Any abuse of this policy will be a disciplinary offence that can result in disciplinary action up to and including dismissal.

3.14 Flexible Working Policy

Context

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made.

Purpose

As a good employer, Camborne Town Council has always had a positive view of flexible working. This statement sets out the framework in which variable working will be managed within the Council.

The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application and the manager is required to follow a specific procedure to ensure requests are considered objectively.

Scope/Eligibility

The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service.

Only one flexible working request can be made within a twelve-month period.

What is Flexible Working?

Flexible working can mean a change to the number of hours worked, the times worked or the place of work.

Some examples of flexible working are:

- Part-time working;
- Job share;
- Flexible working hours
- Term time only working;
- Occasional working from home.

How to apply

Anyone considering flexible working must first discuss with their manager the reasons for the request to change their working pattern. A formal application must be made in writing to their Line Manager.

It should set out clearly:

- The desired change in working pattern;
- How it will impact upon the work of the Council;
- How the employee will manage their work to ensure there is no loss in efficiency;
- The impact of the change of the work pattern on the employee's colleagues;
- How any potential problems will be overcome; and
- When the employee wishes to start the new way of working.

All applications will be considered fully. The Line Manager will meet with the employee to discuss the application as soon as possible. The employee has the right to be accompanied by a companion who may be a work colleague or trade union representative. The companion has the right to address the meeting. They may also ask questions and present the employee's case. However, they have no right to answer questions on the employee's behalf.

Who makes the decision?

The Staffing Committee will consider all applications and consult the appropriate manager as required before taking a decision. The Council will notify employees of the decision as soon as possible. If an application is approved, the working arrangement may be implemented on a trial basis for an initial period of 6 months if necessary. If an application is refused, the individual will be notified in writing with reasons why the request cannot be accommodated at this time.

The grounds for refusing a request include:

- Additional burden of costs;
- Inability to reorganise work among other staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental effect on customer service;
- Detrimental impact on performance;
- Insufficient work available during the periods the employee proposes to work;
or
- The proposal does not fit in with planned structural changes.

Regardless of whether an application is approved or not, a further application cannot be made within 12 months.

Right of appeal

An employee has the right of appeal against the Council's decision. An appeal should be made to the Town Clerk to be considered by the Staffing Committee. A meeting should take place to discuss a refusal to grant a request. It is important that this is dealt with in a timely manner as the law requires the consideration process to be completed within three months of first receiving the request, including any appeal.

Review

The Town Clerk and the appropriate Manager will undertake a review after six months. This is to ensure that the change in work pattern is working effectively and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem, the individual will be consulted before a decision is made to vary the working pattern further or revert to the original working arrangement.

At the end of the review the Town Clerk will confirm in writing whether or not the working pattern may continue. If it may not continue, a minimum of two months' notice will be given that the working pattern cannot be accommodated and will end on a specified date.

All flexible working will be reviewed periodically by management to ensure that the needs of the council continue to be met.

Time Away from the Town Council

4.0 Time Away from the Town Council

4.1 Annual Leave Policy

The annual leave year runs from 1st April to 31st March.

The minimum paid annual leave entitlement is twenty-one days, plus two statutory days with a further four days after five years continuous service. Staff employed on a part time basis will be entitled to leave on a pro-rata basis. All employees are encouraged to take all of their annual leave entitlement between 1st April and 31st March.

At least four weeks' notice of annual leave is required and may only be taken through arrangement made and agreed with the Town Clerk. The Town Clerk may only take annual leave through arrangement made and agreed with the Chairman of the Staffing Committee.

For the year of joining and leaving the holiday entitlement will be proportionate to completed service during the year.

In the event of the employee leaving, any leave which has been taken but not 'earned' will normally be deducted from the final wage payment.

Normally not more than ten days leave may be taken consecutively. Leave of more than ten consecutive days requires sanction from the Staffing Committee. A written request should be submitted to the Town Clerk who will seek approval from the Staffing Committee. The Town Clerk should submit a written request to the Chairman who will seek approval of the Staffing Committee.

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

Additional leave with or without pay may be granted in special circumstances at the discretion of the Council.

A maximum of five days' holiday may be carried over by an employee to the new annual leave year by arrangement with the Town Clerk. The Town Clerk may carry a maximum of five days' holiday to the new annual leave year by arrangement with the Chairman.

Public Holidays

Employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory, general and public holidays as they occur.

Part Time Employees

Entitlement will be on a pro rata basis.

Upon termination of employment

Upon termination of employment, an employee is entitled to payment in lieu of untaken annual leave entitlement which accrued during the final leave year. Unless a worker's employment has been terminated, no payment in lieu of annual leave is allowable.

Note

This Policy does not affect any rights to leave accrued during sickness absence or maternity leave.

4.2 Abnormal Weather Conditions and Travel Disruption Policy

Introduction

During abnormal weather conditions or other travel disruption caused by industrial action affecting transport and/or other major incidents affecting travel, some employees may be unable to attend work as usual. Exceptional weather conditions such as snow, ice, flooding, storms and dense fog, could cause abnormal danger or serious difficulty travelling to and from work and home. It is good practice to have a policy for these circumstances to provide clarity for employees and prevent people from taking unreasonable risks to their safety. This policy does not form part of any employee's contract of employment and we may amend it at any time.

Abnormal weather conditions

Abnormal weather conditions can be defined as snow, ice, fog, floods and storms which make journeys by road or rail hazardous. This can be both by public and private transport.

"Hazardous" can be described as those conditions in which the police and/ or other relevant organisations (e.g. Cornwall Council, the Met Office, the A.A.) advise people not to make unnecessary journeys or travel at all.

Policy

1. An employee attends work but does not complete a normal day due to either late arrival or early departure.

Employees must inform the office by telephone or email before their normal start time if they anticipate that they will arrive late. If this is not reasonably practicable (e.g. the employee is driving and does not have a hands-free phone kit), the employee must inform the Council as soon as possible thereafter.

The Town Clerk may exercise discretion to allow time for the lost hours to be paid but is under no obligation to do so; where the employee is the Town Clerk, the decision should be at the discretion of the Mayor. The following factors will be taken into consideration:

- The position of other employees residing in the same general area;
- The availability of public transport;

- The distance from home to contractual workplace;
- Any advice given by the Council or any other relevant authority (e.g. police);
- The employee's contracted hours of work.

In the circumstance that the office may need to be closed early; the decision should be taken by the Town Clerk in conjunction with the Mayor, or if unavailable, either the Deputy Mayor or Chairman of the Finance and General Purposes Committee. The closure would extend to the Library and Workshop/Store. All employees will be paid for any time lost as a result of early closure.

2. An employee is unable to attend work at all.

Employees must inform the office by telephone or email before their normal start time (if reasonably practicable) and in any event within one hour of their normal start time if they are unable to come to work.

Employees who are unable to attend work should check the situation throughout the day to ascertain whether the situation improves. If it improves sufficiently, they should come to work.

The employee should take the time off as either annual leave or Time Off In Lieu (TOIL) to be made up as agreed with the Town Clerk. Where the employee is the Town Clerk, this will be agreed by the Mayor.

In situations 1 and 2 above, employees who do not make reasonable efforts to attend work or who fail to contact the office in accordance with this policy and without good reason may be subject to disciplinary proceedings.

3. Evening meeting

The Chairman of the relevant Committee (or Vice Chairman in the Chairman's absence) will decide to either proceed with or defer a meeting by at latest 3pm on the same day. When a meeting is deferred, it must be called again by the Chairman within 14 working days (in accordance with Standing Order 68 (i)).

Consultation

All employees were consulted on this policy and have agreed it to be fair. All welcomed the introduction of a policy for abnormal weather conditions.

4.3 Sickness Absence Policy

This policy sets out our arrangements for sick pay and for reporting and managing sickness absence.

Abuse of sickness absence, including failing to report absence or falsely claiming sick pay will be treated as misconduct under our Disciplinary Procedure.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

Reporting Sickness Absence

If you cannot attend work because you are sick or injured you should telephone your manager as early as possible and no later than 1 hour after the time when you are normally expected to start work.

Evidence of Incapacity

You must complete a self-certification form for sickness absence of up to seven calendar working days.

For absence of more than a week you must provide a doctor's certificate stating that you are not fit for work and giving the reason. You must also complete a self-certification form to cover the first seven working days. If absence continues beyond the expiry of a certificate, a further certificate must be provided.

If your doctor provides a certificate stating that you "may be fit for work" you must inform your manager immediately. We will hold a discussion with you about how to facilitate your return to work, taking account of your doctor's advice. If appropriate measures cannot be taken, you will remain on sick leave and we will set a date for review.

Statutory Sick Pay

You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. Qualifying days for SSP are Monday to Friday, or as set out in your employment contract. The rate of SSP is set by the

government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks.

Sickness Scheme

If you are eligible you will be entitled to receive sick pay from the Council in accordance with the National Joint Council for Local Government Services National Agreement on Pay and Conditions Sickness Scheme. If you require further information, please contact the Town Clerk.

Return to Work Interviews

After a period of sick leave your manager may hold a return-to-work interview with you. The purposes may include:

- (a)** ensuring you are fit for work and agreeing any actions necessary to facilitate your return;
- (b)** confirming you have submitted the necessary certificates;
- (c)** updating you on anything that may have happened during your absence;
- (d)** raising any other concerns regarding your absence record or your return to work.

Managing Long-Term or Persistent Absence

The following paragraphs set out our procedure for dealing with long-term absence or where your level or frequency of short-term absence has given us cause for concern.

The purpose of the procedure is to investigate and discuss the reasons for your absence, whether it is likely to continue or recur, and whether there are any measures that could improve your health and/or attendance. We may decide that medical evidence, or further medical evidence, is required before deciding on a course of action.

- We will notify you in writing of the time, date and place of any meeting, and why it is being held. We will usually give you a week's notice of the meeting.

- Meetings will be conducted by your line manager and will normally be attended by the Town Clerk.
- You may bring a companion to any meeting or appeal meeting under this procedure. Your companion may be either a trade union representative or a colleague, who will be allowed reasonable paid time off from duties to act as your companion.
- If you cannot attend at the time specified you should let us know as soon as possible and we will try, within reason, to agree an alternative time.
- If you have a disability, we will consider whether reasonable adjustments may need to be made to the sickness absence meetings procedure, or to your role or working arrangements.

Medical Examinations

We may ask you to attend a medical examination by a doctor or occupational health professional or other specialist nominated by us (at our expense).

You will be asked to agree that any medical report produced may be disclosed to us and that we may discuss the contents of the report with the specialist and with our advisers. All medical reports will be kept confidential.

Initial Sickness Absence Meeting

The purposes of a sickness absence meeting or meetings will be to discuss the reasons for your absence, how long it is likely to continue, whether it is likely to recur, whether to obtain a medical report, and whether there are any measures that could improve your health and/or attendance.

In cases of long-term absence, we may seek to agree a return-to-work programme, possibly on a phased basis.

In cases of short-term, intermittent absence, we may set a target for improved attendance within a certain timescale.

If Matters do not Improve

If, after a reasonable time, you have not been able to return to work or if your attendance has not improved within the agreed timescale, we will hold a further meeting or meetings.

We will seek to establish whether the situation is likely to change and may consider redeployment opportunities at that stage.

If it is considered unlikely that you will return to work or that your attendance will improve within a short time, we may give you a written warning that you are at risk of dismissal. We may also set a further date for review.

Final Sickness Absence Meeting

Where you have been warned that you are at risk of dismissal, and the situation has not changed significantly, we will hold a meeting to consider the possible termination of your employment. Before we make a decision, we will consider any matters you wish to raise and whether there have been any changes since the last meeting.

Appeals

You may appeal against the outcome of any stage of this procedure. If you wish to appeal you should set out your appeal in writing to the Town Clerk stating your grounds of appeal, within one week of the date on which the decision was sent or given to you.

If you are appealing against a decision to dismiss you, we will hold an appeal meeting, normally within two weeks of receiving the appeal. This will be dealt with impartially and, where possible, by a more senior manager who has not previously been involved in the case.

We will confirm our final decision in writing, usually within one week of the appeal hearing. There is no further right of appeal.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

Full details of the Sickness Scheme can be located in the Green Book, Part 2. If you require further information in relation to this, please contact the Town Clerk.

4.4 Parental Leave Policy & Procedure

Parental Leave is the right for parents (including adoptive parents) to take unpaid time off work in order to look after, or make arrangements for, the welfare of their children.

This 'ordinary' parental leave is different to Shared Parental Leave (SPL). SPL enables mothers to commit to ending their maternity leave and pay at a future date, and to share the untaken leave and pay as SPL and pay with their partner. Ordinary parental leave provisions are not affected by SPL and SPL is not addressed in this policy. Please see the separate Shared Parental Leave Policy.

Purpose

To provide employees who have children with the time and support that they need to care for them.

To ensure that the Council complies with its legal obligations to employees in respect of Parental Leave.

Provision

Employees will be eligible for Parental Leave where they meet the following criteria:

- The employee must have been continuously employed by the Council for at least one year; and
- Be the mother or father of a child under the age of 18, or have adopted a child under 18.

Eligible full-time employees may take up to 18 weeks' parental leave for each child under the age of 18. This is pro-rated for part time employees.

Parental leave must be taken in weeklong blocks (other than in the case of disabled children where it may be taken in blocks of one or more days.). In the absence of special circumstances, the Council will not allow employees to take more than 4 weeks of their entitlement in any one-year.

A year is defined as the period of 12 months beginning when the employee first becomes entitled to Parental Leave in respect of the child in question.

The Council reserves the right to postpone an employee's parental leave (other than in the event that the leave is to be taken immediately after the birth or adoption of child), if it is deemed that taking the parental leave at that time

would prove unduly disruptive to the Council's business.

All of the rights granted to an employee under the terms and conditions of their employment in accordance with the National Joint Council for Local Government Services National Agreement continue throughout Parental Leave, with the exception of the right to remuneration.

Parental Leave applies to each child and not to an employee's job. For example, if an employee has used 10 weeks of parental leave with a previous employer, the employee can use up to 8 weeks' parental leave with the new employer if he or she is eligible.

Procedure

Employees wishing to take Parental Leave must provide at least 21 days' notice by writing to the Town Clerk, and including the following information:

- Their child's birth certificate; or
- Evidence of an adoption placement; or
- Evidence of a disability living allowance (in the case of a disabled child);
or
- Notice of the Expected Week of Childbirth; and
- The date on which employee wants the Parental Leave to start; and
- How much Parental Leave the employee wishes to take.

When the Parental Leave is in respect of an adopted child and the employee wishes the Parental Leave to begin at the start of the adoption placement, the notice must be given at least 21 days before the beginning of the week in which the child is to be placed for adoption or as soon as is reasonably practicable thereafter.

The Town Clerk will discuss the matter with the employee and provide written confirmation of either approval or postponement of the Parental Leave within 7 days of receiving the notice.

In the event that Parental Leave is postponed the letter will set out the reasons for doing so and the new dates for Parental Leave which will be within 6 months and of the same length as that originally requested.

In the event that an employee on Parental Leave wishes to return to work early they must provide at least 7 days' notice.

Return from Parental Leave

Employees who take up to 4 weeks' Parental Leave in any given year will be entitled to return to the job in which they were employed before their absence on the same terms and conditions in accordance with the National Joint Council for Local Government Services National Agreement on Pay and Conditions.

In the event that an employee takes more than 4 weeks' Parental Leave in any given year the Town Council will endeavour to return the employee to the same job they were employed in before their absence, and where this is not reasonably practical to a similar job on the same or more favourable terms and conditions.

Data Protection

While managing an employee's Parental Leave, the Town Council will process personal data in accordance with its data protection policy. Data collected from the time at which an employee informs the organisation that he or she plans to take Parental Leave is held securely and accessed by, and disclosed to, individuals only for the purposes of managing his or her Parental Leave.

4.5 Shared Parental Leave (SPL)

Context

Shared Parental Leave (SPL) allows eligible parents to choose how to share the care of their child in the first year of birth or adoption by enabling mothers to commit to ending their maternity or adoption leave and pay at a future date, and to share the outstanding balance of leave and pay as SPL and pay with their partner, or to return to work early from maternity leave and opt in to SPL and pay at a later date.

Purpose

- To provide more flexibility to employees who have children in deciding how best to care for, and bond with, their child during the first year of birth or adoption.
- To ensure that the Council complies with its legal obligations to employees in respect of Shared Parental Leave (SPL).

Further Reference

The SPL provision is complex and can vary greatly depending on personal circumstances. Therefore, if an employee wishes to take shared parental leave, he or she should speak to the Town Clerk to obtain details of the full policy, provision, eligibility and procedure.

Maternity Scheme

Full details of the Maternity Scheme can be located in the Green Book, Part 2. If you require further information in relation to this please contact the Town Clerk.

4.6 Compassionate Leave

Context

An employee may request compassionate leave in the event of an unplanned major life event that requires the employee's absence from work.

Events which may warrant compassionate leave include, but are not limited to:

- breakdown of care for a family member
- the diagnosis of or final stages of care for a serious (life threatening) illness or death of a family member
- funeral, cremation or burial of a family member
- the employee falling victim to a serious crime
- fire/flood/burglary at the employee's home
- road traffic collisions or other distressing accidents/incidents involving the employee
- a breakdown of the employee's personal or domestic arrangements (separation, divorce, eviction, removal of children etc)

This policy enables employees to request a reasonable period of paid and/or unpaid time off work in such circumstances. It is at the manager's discretion whether to grant compassionate leave, and the amount of compassionate leave that may be appropriate in the circumstances.

Conditions of Granting Compassionate Leave

All requests for compassionate leave will be managed sensitively and fairly, giving consideration to the cultural and religious needs of individual employees.

The employee's manager will consider each request in line with this policy. The request may be supported in part or in full, or it may be more appropriate for the employee to take time off by other means, such as annual leave or parental leave.

Alternatively or in addition, managers may wish to consider allowing the employee a period of remote or flexible working.

In exceptional circumstances, line managers may consider granting paid time off in addition to the allowances outlined in this policy. This should only be in cases where there is a strong case, which has welfare implications for the individual. To ensure fairness and consistency of application of this approach, line managers should put their cases forward to the Town Clerk and Staffing Committee, who will jointly consider requests for additional allocations of paid time off, to ensure consistency of approach.

Scope of the Policy

This policy applies to all Town Council staff.

All employees, irrespective of length of service, are entitled to request a reasonable amount of paid and/or unpaid time off work on compassionate grounds to deal with an unplanned major life event.

Principles

An employee's manager may grant up to a maximum of 5 days of paid compassionate leave to an individual employee in a rolling 12-month period (pro-rata for part-time and job-share employees). Where deemed necessary and appropriate, further unpaid leave may be granted to an employee subject to the needs of the service.

Alternatively, employees may opt to use their annual leave, flexi-leave (where appropriate) or buy additional leave; or the manager may offer a period of remote or flexible working.

The amount of compassionate leave required for each life event will be determined by the specific situation and any cultural or religious requirements. Managers may take into account the employee's responsibility for making practical arrangements, such as securing a burgled property, arranging a funeral or acting as executor of a will.

Primary carers of disabled people are protected by the Equality Act and this will be taken into consideration when granting compassionate leave.

A family member for the purposes of this policy is defined as the partner, child, step child, adopted child, parent, grandparent, grandchild or sibling of an employee.

Managers have discretion to grant compassionate leave in respect of the death of other relatives where the relative lived with the employee, where the employee is the sole surviving relative, or where the employee is responsible for making the funeral arrangements and/or managing the estate of the deceased.

Additionally the Staffing Committee have discretion to grant an extended period of paid and/or unpaid compassionate leave in the unfortunate circumstance of the multiple deaths of family members or when an employee has to manage the final stages of the terminal condition of a family member.

Where compassionate leave cannot be granted under this policy in part or full the manager should suggest alternative options such as annual unpaid leave, flexi-leave, buying additional leave, or where the job permits, a period of remote or flexible working.

Procedure

Where an employee requires compassionate leave under this policy they should notify their manager at the earliest opportunity and request compassionate leave in writing.

Where a request for paid compassionate leave is refused in part or full, the reasons for this will be notified to the employee by their manager and recorded. In these circumstances the manager should discuss with the employee the alternative options for covering any time taken off work in advance of the request.

The manager should agree with the employee how they wish to cover their absence, for example, using annual leave, flexible working, and/or unpaid leave. This should be recorded retrospectively where it has not been possible to agree it in advance.

Where an individual employee does not agree with the manager's decision about granting paid time off; or where they feel they have been treated unfairly, they have the right to raise the matter with Staffing Committee. Staffing Committee review the case and will make a decision about granting time off. This decision will be final.

Town Clerk and Managers' Responsibilities

Managers must be sensitive, consistent and fair when considering requests for compassionate leave and note that requests must be submitted for recording on the employee's absence record.

Managers must not support more than 5 days of paid compassionate leave in any rolling 12 month period for an individual employee (pro-rata for part-time and job-share employees) unless this has been authorised by Staffing Committee within the discretions referred to in this policy.

The amount of time that can be granted for each event is at the manager's discretion. As a guideline, managers would normally be expected to grant a maximum of 1 day of paid compassionate leave for: funerals, cremations and burials; dealing with a fire/flood/burglary; or following a road traffic collision, distressing accident or serious crime. A greater amount of paid leave, not exceeding the limits stated in above, may be appropriate in the case of serious illness or death of a family member, or a breakdown of the employee's personal or domestic arrangements.

It is the manager's responsibility to check the information supplied by the employee on the request for compassionate leave. The manager must check the information is accurate before agreeing.

Unpaid Compassionate Leave

Any unpaid element of compassionate leave will be deducted from the employee's next pay period unless an alternative arrangement has been agreed with the employee. The employee will be asked to sign their consent to the salary adjustment to pay for it.

4.8 Time off for Public Duties Policy

Context

Camborne Town Council are committed to enabling employees to perform any public duties that they may be committed to undertake and so will give them time off to do so, where it does not conflict with the operational needs of our business.

The Council are not legally obliged to grant paid leave for these purposes. The circumstances in which the Council are prepared to do so are set out below.

Scope

This policy applies to all employees.

This policy does not form part of any employee's contract of employment and the Council may amend it at any time.

Personnel responsible for the policy

The Council has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to the Town Clerk.

Managers have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

Jury service

You should tell your line manager as soon as you are summoned for jury service and provide a copy of your summons if requested.

Depending on the demands of our business the Council may request that you apply to be excused from or defer your jury service.

The Council are not required by law to pay employees whilst absent on jury service. Employees will be advised at court of the expenses and loss of earnings that can be claimed.

Voluntary public duties

Employees are entitled to a reasonable amount of unpaid time off work to carry out certain public duties, including duties as a tribunal member, magistrate, local councillor, member of an NHS Trust, prison visitor, police station lay visitor or school governor.

If you are unsure whether a public service that you perform is covered by this policy you should speak to the Town Clerk.

As soon as you are aware that you will require time off to perform a public service you should notify your line manager in writing, providing full details of the time off that is being requested and the reasons for your request. In order that arrangements can be made to cover your duties in your absence you should make your request in good time.

Each request for time off will be considered on its merits taking account of all the circumstances, including how much time is reasonably required for the activity, how much time you have already taken, and how your absence will affect the business.

The Council may grant you up to five days' paid leave in any 12-month period to perform public duties that are not paid. Any additional leave will be granted on an unpaid basis subject to the exercise of our discretion to grant further paid leave.

Reserve forces duties

We are aware that employees who are members of the Reserve Forces (the Territorial Army, Royal Navy Reserve, Royal Marines Reserve or Royal Auxiliary Air Force) may be called-up at any time to be deployed on full-time operations, and are expected to attend regular training.

We offer up to 10 days special unpaid leave per year (in addition to existing paid holiday entitlements) for reservists to undertake training. [In exceptional circumstances we may grant additional unpaid leave in order for these commitments to be met.]

If we receive notice that you have been called-up for active service we may apply to an adjudication officer for the notice to be deferred or revoked if your absence would cause serious harm to our business (which could not be prevented by the grant of financial assistance).

Once your military service has ended you may submit a written application for reinstatement to your employment. This should be made by the third Monday following the end of your military service and you should notify us of the date on which you will be available to restart work.

If it is not reasonable and practicable to reinstate you into your former employment we will offer you the most favourable alternative on the most favourable terms and conditions which are reasonable and practicable.

When calculating the length of your continuous employment with us, the period of absence on military service will not be counted. The period of employment before your mobilisation and the period after your reinstatement will be treated as continuous.

Development at the Town Council

5.0 Development at the Town Council

5.1 Training and Development Policy

Introduction

This document sets out Camborne Town Council's Training and Development Policy by detailing:

- The Council's commitment to training and development;
- The identification of training needs;
- Corporate training;
- Financial assistance;
- Study leave;
- Short courses and workshops;
- Evaluation of training;
- Links with other policies;
- Reporting progress.

The objectives of this policy are to:

- Encourage Councillors and employees to undertake appropriate training and development activities;
- Allocate training in a fair manner;
- Ensure all training is evaluated to assess its value.

Commitment to Training and Development

Training has been defined, as 'A planned process to develop the abilities of the individual to satisfy current and future needs of the organisation' (Chartered Institute of Personnel and Development 2007).

Camborne Town Council is committed to continuous training and development to enable Councillors and employees to effectively contribute to achieving the Council's aims and objectives by providing the highest quality representation and services.

Camborne Town Council recognises that its Members and employees are its most important resource. The Council is committed to encouraging both Members and employees to enhance their skills, knowledge and qualifications

through training and development activities. Some training is also necessary to ensure compliance with all legal and statutory requirements.

The Council expects senior and specialist officers to undertake a programme of Continuing Professional Development (CPD) in line with the requirements of their requisite professional bodies.

Training and development:

- Improves the quality of the services and facilities provided by Camborne Town Council;
- Helps enable the organisation to achieve its corporate aims and objectives;
- Improves the skill base of employees to produce confident, highly qualified staff working as an effective and efficient team;
- Demonstrates that employees are valued.

Training and development will be achieved by including a realistic financial allocation for learning activities in the annual budget as well as by taking advantage of any relevant partnership or in-house provision available.

The learning and development process will:

- Identify training needs by considering Camborne Town Council's objectives as well as individual requirements;
- Plan and organise training and development activities to meet those specific needs;
- Ensure the appropriate activity is delivered;
- Evaluate the effectiveness of the training and development activity.

Identification of training and development needs

Staff will be asked to identify their development needs with advice from their line manager during their half yearly and annual performance review/appraisal. Members and employees' training needs may also be identified through

- During interview;
- Following confirmation of appointment/ election;
- Formal and informal discussion.

Training and development needs may also be identified due to:

- Legislative requirements;
- Changes in legislation;
- Changes in systems;
- New or revised qualifications become available;
- Accidents;
- Professional error;
- New working methods and practices;
- Complaints to the Council;
- A request from a member of staff;
- Devolved services/ delivery of new services.

Employees who wish to attend a training course should discuss this with their line manager; all requests will be considered in relation to the Council's needs by the Staffing Committee.

New Councillors and Employees

All new Councillors and employees will receive basic induction training on the workings of the Council, Council policies and governance. This will also include Council finance, amenities, engagement, assets, health, safety and welfare. Specific mandatory training (such as Code of Conduct Training for Councillors) will be included as well as an assessment of any essential training needed to effectively carry out the role. Any need identified in the assessment will be met in accordance with the Council's commitment to training and development.

Corporate Training

Corporate Training is necessary to ensure that Members and employees are aware of their legal responsibilities or corporate standards e.g. Health and Safety, Equal Opportunities, Code of Conduct. Employees will be required to attend training courses, workshops or seminars where suitable training has been identified.

Financial Assistance

It is important to note that all sponsored training must be appropriate to the needs of the Council, relevant to the individual's role and is subject to the availability of financial resources.

Each request will be considered on an individual basis and the benefits to the individual and the Council will be identified.

Members and employees will be required to attend the nearest college/venue offering the required training unless an alternative is authorised by the Staffing Committee in the interest of operational effectiveness or ensuring value for money.

The Staffing Committee will also consider:

- The impact on operational capability;
- The most economic and effective means of providing the learning;
- Provision and availability of the training budget.

Members and staff can expect the following to be sponsored for approved training and development activities:

- The course fee;
- Examination fees;
- Associated membership fees;
- One payment to re-take a failed examination.

Members and employees attending assisted courses are required to inform the Town Clerk immediately of any absences, giving reasons.

Failure to sit an examination may result in the Council withdrawing future course funding and/or requesting the refunding of financial assistance. Each case will be considered on an individual basis.

Camborne Town Council operates a Return of Service agreement. Any employee undertaking post entry qualifications funded by the Council must be aware that, should they voluntarily leave Camborne Town Council's employment within two years of completing the qualification, they may be required to repay all costs associated with undertaking such training. An exemption to this clause may be granted if an employee takes up employment with another local authority.

Study Leave

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

- Study time to attend day release courses;
- Time to sit examinations;
- Study time of one day per examination (to be discussed and agreed by their line manager in advance);
- Provision of study time must be agreed with the line manager prior to the course being undertaken.

Short Courses/ Workshops/ Residential Weekends

Where attendance is required, out of normal working hours, at a short course, a full day of paid leave will be granted. Members and staff attending approved short courses/ workshops/ residential weekend can expect the following to be paid:

- The course fee;
- Travelling expenses in accordance with the Council's current policy;
- Subsistence in accordance with the Council's current policy.

Linking with other Council Strategies and Policies

Camborne Town Council's training and development policy links with other Council strategies, policies and activities; notably

- Equality of opportunity in all aspects of Member and employee development;
- Quality Council status;
- Risk Management Policy; a commitment to Training and Development greatly assists in achieving good governance and an effective system of risk management.
- Health and Safety Policy; ongoing training and development is critical to ensuring a positive approach to Health and Safety is embedded throughout the Council.
- Continuing Professional Development;
- Continuous improvement;
- Services devolved from Cornwall Council.

Progress Reports

The Town Clerk will report annually to the Staffing Committee detailing training and development activities over the year, attendance and evaluation.

Pension

Local Government Pension Scheme (LGPS) Employer Discretion.

Camborne Town Council has adopted the following policies in regard to the Cornwall Pension Fund. For more information on the Local Government Pension Scheme

<https://www.cornwall.gov.uk/jobs-and-careers/cornwall-pension-fund/active-members/benefits-of-the-scheme/>

In addition Camborne Town Council

- will not contribute to an employee's Additional Voluntary Contributions (Regulation 17).
- will not waive any actuarial reduction for early retirement (Regulation 30(8)).
- will not 'switch on' the 85 Year Rule for early retirement (Transitional Provisions Regulations).
- will permit early retirement on compassionate grounds (Regulation 30(5)).
- will permit flexible retirement on a case by case basis but will not waive any actuarial reduction (Regulation 30 (6)).
- will not purchase additional pension for an employee (Regulation 31).
- will not extend the 12-month time limit for transfer of service into the Local Government Pension Scheme (Regulation 100).

Appendices

Appendix 1

Long Term Absence Procedure

Camborne Town Council 's main objective when managing long term absences is to help and support its employees to improve their health through access to appropriate treatment with the help of their Human Resources representative and other agencies (such as Occupational Health and Fit For Work England) to facilitate their return to work.

Each case of long-term absence is different and therefore the purpose of these guidelines is, to set out broad parameters to work from, but we will always try to take a flexible approach; what is appropriate in one situation won't necessarily be appropriate in another.

Research shows that the longer someone is off work, the harder it can be in the long term for them to return to work, even if they are fit to do so.

The long-term absence process is used for long-term, underlying health, serious or terminal health conditions, where there is no imminent or foreseeable return to work date and where the employee is expected to be off for number of months rather than weeks. Long-term absence employees may also have a disability or underlying medical condition.

Returning to work following long-term absence

At every stage of the process, Camborne Town Council will discuss with an employee the possibility of a return to work. If an employee is able to return to work, then we will meet with them to discuss the options available, based on advice given by a Fit Note / GP / Consultant, Fit for Work England or Occupational Health.

It may be the case that an employee is able to return to work with no adjustments to their working environment or hours. However, an employee may require a period of rehabilitation after a serious medical condition or due to a lengthy absence. Any adjustments will be recommended by GP / Consultant, Fit for Work England or Occupational Health and can be things such as:

- A phased return to work;
- Temporary or permanent adjustment to their working hours;

- Reducing their workload or adjusting their duties;
- Letting employees work part-time and/or agreeing with them a structured timescale that will let them build up to appropriate working hours;
- Redeployment to another role.

In order to comply with the Equality Act 2010, Camborne Town Council will consider any adjustments if an employee's condition falls or potentially falls under this legislation. These measures can be either for an agreed specified period or on a permanent basis and this will be dependent on any medical advice given.

Any agreed adjustments with an employee will be recorded in writing, along with timescales for the adjustments and a review date. A separate letter will confirm the employee's return to work date, the agreed support and/or adjustments and any other agreed actions should be sent prior to the colleague coming back to work.

In very rare occasions, an employee may return to work after a period of either short or long-term absence but may be still too unwell. In this instance, we will ensure that we have considered (and made, where appropriate) all reasonable adjustments, put support in place to help an employee to remain in work (including offering them alternative roles) and considered all options.

If an employee simply needs further time to recover and there are no alternative roles, then we will ask the employee to remain at home until they have sufficiently recovered. In this instance, we will treat their absences as continuous and not two separate occasions. However, in some circumstances due to their health condition, an employee may simply be not capable of carrying out a role. In these unfortunate circumstances, we will have a conversation with this employee and invite them to a final meeting.

At this meeting, we will discuss with the employee their health condition, all the options that have been exhausted and whether there is any other support which could be considered or put in place to help the employee remain in work. Depending on the discussion, we will then consider whether it will be appropriate to consider dismissal on grounds of incapability due to ill health. We will only consider this once all other options available have been exhausted. This may be confirmed in a settlement agreement.

Long term absence Meeting

If the employee doesn't return to work and the medical prognosis suggests they are not expected to in the foreseeable future, then we will invite the employee to attend a meeting. Under no circumstances will this meeting take place over the phone or by e-mail. If the individual is suffering from work related stress there may be a need for a trusted representative to meet with the employee initially to prepare the individual for more formal meetings.

The employee will then be invited to a formal meeting. If an employee doesn't attend this meeting (and even if no contact is made), we will reschedule the meeting one further time only. In addition, if an employee feels that they are unable to attend a meeting, then we will consider the following options so that the meeting can still go ahead.

The options are:

- The opportunity to provide a written statement or
- The option to be represented by a representative or
- In exceptional cases, an offer to hold the meeting at a neutral venue.

If an employee requests a postponement of any meeting on health grounds, then we will request an impartial opinion from Fit for Work England or Occupational Health and meetings will only be postponed on their advice.

The purpose of the meeting is to discuss the issues and summarise an employee's continued sickness absence i.e. any changes or improvements and any appropriate support and/or reasonable adjustments that can be provided, and to establish whether an employee is able to return to work in the foreseeable future.

If an employee is unable or unwilling to return to work in the foreseeable future, then we will consider dismissing them on the grounds of incapability to return to work in the foreseeable future due to ill health. However, we will consider the length of time the employee has been off for and whether it is appropriate to wait and see how their condition develops for a further period of time. Another consideration is a mutually agreed exit strategy possibly resulting in a settlement agreement .

Dismissal on the grounds of ill health will be a last resort. However, if an employee is unable or unwilling to return to work in the foreseeable future, in either their existing role (with any reasonable adjustments) or a suitable alternative position if available, the employee's employment will be terminated. Where possible, the organisation will seek up-to-date medical advice prior to taking any decision about a possible dismissal.

The final meeting will be followed up in writing detailing what was discussed, agreed and a copy of the notes provided. If an employee's employment is terminated on the grounds of incapability due to ill health this is for payment for notice not served and the employee is given the right to appeal against the decision.

If we receive a medical report from Fit for Work England or Occupational Health which confirms that an employee is unlikely to be able to return to work in any capacity in the foreseeable future, it may be appropriate to escalate through the process without conducting the four formal meetings under the long term process.

In these exceptional circumstances a long-term absence meeting will be conducted with the employee, to discuss the contents of the report and to understand whether the employee feels there is anything further we could do to support them to return to work.

However, if a return to work is still unlikely, the employee will be invited to a final formal meeting, where dismissal on the grounds of incapability to return to work in the foreseeable future due to ill health may be the outcome and confirmed in a settlement agreement

How long we support an employee on long-term absence before holding a final meeting and then considering dismissal very much depends on the individual's condition and their prospects of returning to work. Each case will be assessed on its own facts and we will also take into account the following:

- Waiting for a prognosis (within a reasonable timeframe) for the employee's initial condition and any further complications;
- Waiting whilst an employee goes through or is waiting for treatment for their initial condition;
- Waiting whilst an employee goes through an appropriate rehabilitation period following an operation/treatment/accident etc;

The length of support will be different in each case and we will try to understand the following to make an informed decision:

- What impact the condition/illness is having on the employee?
- What is the advice of medical experts?

Arranging a phased return

Occupational Health should be consulted for specific advice regarding potential return to work arrangements.

These could include:

- Carefully monitored part time work
- Simple adjustment of working hours, including reduced hours
- Job modifications (light duties)
- Reorganisation of work station

The recommendation must be supported by the employee's GP or Consultant and a certificate must be provided stating that the employee is fit for work on a phased return basis.

A phased return to work will normally be for a maximum of 4 weeks and it may be advisable to stage the return to normal working hours and the full range of duties and responsibilities.

Pay during the phased return

The employee should receive their normal pay during the 4 week phased return period. Where the phased return extends beyond the 4 week period the Staffing Committee will need to decide whether to:

- Reduce pay according to the actual hours worked
- Agree with the employee to offset accrued annual leave against the time when the employee is not at work.

It is expected that an extension of full pay will be limited and only made in extenuating circumstances. Any extension must be agreed in consultation with the Staffing Committee.

In reaching a decision the following should be considered:

- the revised period of phased return
- the individual employee's circumstances

A phased return is intended to facilitate the employee's return to their substantive post. However, in exceptional circumstances, there may be agreement for the employee to return on a phased basis to a lower graded post. In this case the pay will be that of the lower graded post from the date of return to work on a phased basis.

Occupational Health may review the employee at the end of the phased period and advise whether the employee is fit to return to their full duties. If agreed, the employee will then return to their normal duties.

Strictly Confidential

Return to Work Form

Part 1: Self-Certification *(to be completed by employee)*

Name:	Job Title:
1 st Day of Absence:	Date Returned to Work:
Number of working days absent:	Are you: full time / part time * *Delete as appropriate
State briefly why you were unfit for work (specify nature of illness or injury. Words like "illness" or "unwell" are not enough)	
I reported my absence to: _____ on (date): _____	

Signed (employee): Date:

Part 2: Return To Work Discussion *(to be completed by manager)*

Manager's Name:	Date of RTW Discussion:
Has the necessary medical certification been presented? (e.g., where required, a fit note/s)	Yes/No
Summary of discussion:	
Any other comments or issues raised, and any further action agreed:	

Signed (employee): Date:

Signed (manager): Date:

Informal Meeting Record

This is a to note discussions/outcomes in relation to informal meetings, including return to work, keeping in touch and review meetings and can be changed/completed as appropriate to reflect the circumstances of the individual case.

STRICTLY PRIVATE & CONFIDENTIAL FILE NOTE	
Name of employee	
Job title	
Department	
Subject	
Date of Last Review Meeting (if applicable)	
Name(s) of other attendee(s) (if applicable)	

Background:
Exploration of issues/Summary of key points discussed
Agreed outcome:

File note made by	
Date	