

Chichester City Council

Staff Handbook

November 2024

EMPLOYEE HANDBOOK UPDATES

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INTRODUCTION

About the City Council

Welcome to Chichester City Council. We are the parish council for the City of Chichester. This is the lowest tier of local government and the level that is closest to the residents and community that it represents. We are one of a handful of City Parishes nationwide and by Parish Council standards are a large council. We represent the interests and needs of the City and its citizens.

As a parish council, we have very limited statutory powers – we can't fix the highways, decide planning issues, tackle school places or solve access to GP appointments, however, we have very broad discretionary powers that give us huge flexibility to do many things. Essentially, anything that an individual person may do, the Parish Council can also do (subject to any other applicable laws). So, if we wanted to run a pub, we could, subject to licensing laws, or if we wanted to run a youth club, we could, subject to safeguarding and equality legislation.

Parish councils work best when they have the trust, respect and confidence of both community groups and statutory authorities, so we do our best to work closely with community groups, individual residents and higher tier authorities to develop strong partnerships.

Our Mission

To continue to develop Chichester as a welcoming and rewarding place to live, visit or work, whilst preserving its unique character and place in history

Our Vision

- To create a safe, socially inclusive and caring community which embraces all residents and visitors, irrespective of age, gender, culture, income, race or religion.
- Residents and visitors will have access to amenities, activities and services that allow them to live life to the full and experience the best of the City.
- We will preserve the City's unique heritage, whilst making sure it remains a dynamic, modern and exciting place to live, work and visit for all generations.
- We will create an environment that supports a high quality of life and makes space for nature, leaving it in a better condition for future generations.

Our priorities

To keep focused on delivering our Vision whatever the future may hold, we have identified four key priorities for the community which will guide our future decisions

1. Creating a vibrant, thriving and active community
2. Filling gaps in the city's infrastructure
3. Preserving the city's heritage
4. Improving the environment

What the City Council Does

We own, manage and maintain the following buildings, monuments, assets and open spaces:

- The Council House
- The Market House

- Over 450 allotments over 7 sites across the City
- Market Cross
- St Martins Gardens
- Various disused burial grounds
- Litten Gardens including the War Memorial, commemorative sculptures and other commemorative stones and trees
- St James Obelisk
- Seats and benches mainly around the City Centre
- John Keats statue in Eastgate Square, Maurice Patten sculpture in Litten Gardens and the Murray Statue in North Street
- Brewery Field on lease from WSCC

Our other activities include:

- We distribute grants to community groups worth £100,000 per year
- We maintain the city centre hanging baskets, planters and hanging baskets and street furniture such as benches, bike racks, etc.
- We provide heritage lighting around the Cathedral
- Streetlighting of some of the pedestrian areas and twittens
- We organise the annual gala in Priory Park
- We organise the annual Remembrance Day parade
- We organise the annual Civic Awards
- We are responsible for street naming and street signs throughout the City.
- Freedom of the City events
- Twinning activities
- Room and venue hire and a licensed wedding venue

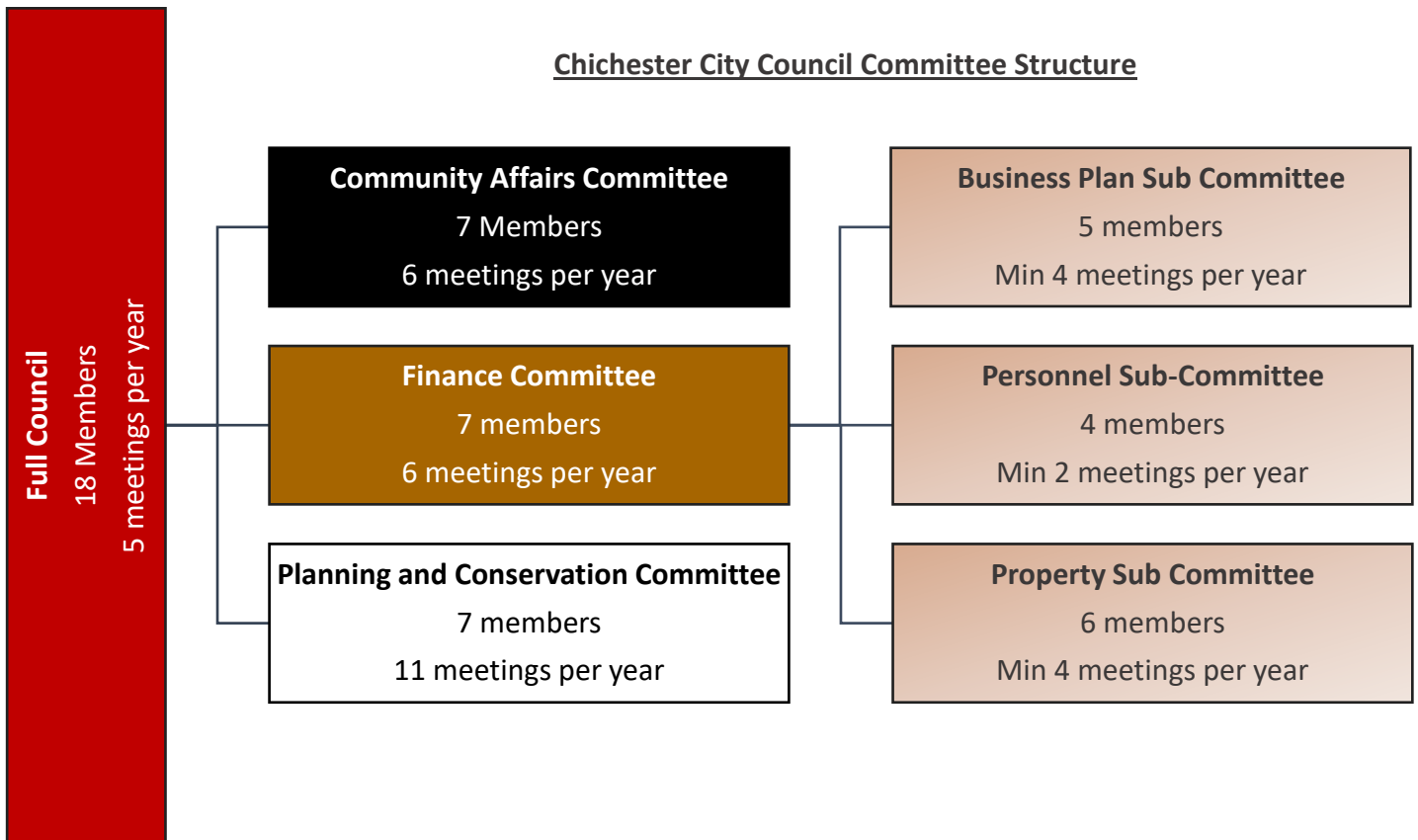
The Council

The Council comprises 18 elected members, representing the five wards of Chichester; North, East, South, West and Central.

Full Council meetings, with all 18 of our elected members take place five times a year.

Much of the day-to-day business of the Council is decided and monitored by three Committees (Community Affairs, Finance, and Planning and Conservation) and three Sub-Committees (Business Plan, Personnel, Property,)., who have delegated authority to make decisions on behalf of the whole council. A copy of the Council Scheme of delegation can be found here: <https://chichestercity.gov.uk/city-council-scheme-of-delegation/>.

Chichester City Council Committee Structure



Councillor and Officer Roles

Councillors and Officers have different but complementary roles. Mixing up those roles can cause confusion.

- **Councillors** are elected or co-opted -usually, but not always, representing a political party
- **Councillors** consider, decide and direct Council policy.
- **Officers** are appointed, they are politically neutral, some roles will require specialist skills and qualifications.
- **Officers** advise, guide, recommend and implement approved Council policy. Very occasionally they will warn.

In successful Councils, Officer and Councillor skills and talents work together for the common good.

- Officers have a duty to warn Councillors about policies that might be illegal or raise serious consequences for the Council.
- Officers will offer professional and not personal opinions, usually putting forward a range of options.
- Officers serve the Council corporately, they are not the servants of individual Councillors.
- Individual Councillors cannot direct staff members.
- Individual staff tasks and workloads are assigned by the Clerk (or appropriate line manager).

The Council have a detailed **Member Officer Protocol**, which outlines the duties and expectations of both members in officers in detail and is included in this handbook. All staff should be familiar with the protocol.

Your employment with Chichester City Council

As an employee, or officer, of the Council your relationship with the Council is governed by the policies and procedures in this handbook and by the terms and conditions in your contract of employment. Please take time to read both documents carefully. If there is a discrepancy between the two, your contract of employment prevails.

The handbook sets out the Council rules, policies, procedures and general information. It is important that you obey the rules and always follow the set policies and procedures. These are in place to provide a safe, efficient and effective working environment and to help and protect employees. The Council's policies do not form part of your contract and may be amended from time to time to reflect developments such as the introduction of new employment legislation or changes in the way the Council operates. The Town Clerk will draft any required amendments or additions and will make recommendations to the Personnel Sub-Committee who will approve any changes to Council policies, procedures or rules governing the employment of officers. You will be notified of any updates to the Handbook or to individual policies or procedures in writing. You may request a copy of the Handbook at any time from the Town Clerk.

The appendices set out the standard forms the Council uses for employee administrative functions, such as sickness self-certification, time off requests and conducting appraisals. Using these forms and templates will enable requests to be dealt with efficiently and fairly for all employees. This section also contains the National Association of Local Councils (NALC) salary scales and a copy of the Members' Code of Conduct, which regulates Councillor behaviour.

If there are any changes to your personal details, please ensure you keep the Council up to date by completing the 'Change of personal details' form (**Appendix A**).

If you are unsure about anything mentioned in either this handbook or your contract of employment, please contact the Town Clerk who will be happy to help you.

Thank you for choosing to work for Chichester City Council and may your time here be rewarding, successful and happy.

General Notes on Contents of Handbook

References to 'Town Clerk' throughout this handbook may refer to an alternate job title the Council has designated as Proper Officer. References to 'Chair' and 'vice-Chair' in the context of the whole Council can also refer to 'Mayor' and 'Deputy Mayor'.

EMPLOYEE CODE OF CONDUCT

As a local government officer, your conduct must be beyond reproach and you must ensure that your actions appear above suspicion and demonstrate that you are acting for public, not personal interest or profit.

Status of the code

Chichester City Council adopts the following code regarding conduct which aims to make sure that employees understand the standards of behaviour and conduct expected. The list is not exhaustive and certain types of conduct may depend on particular circumstances, it is important that all staff read the guidelines and ask about anything that isn't clear, as ignorance will not be accepted as a defence if the Council decided to take disciplinary action against an employee for not complying with these standards.

Any questions regarding this should be addressed to the Town Clerk.

Who does the code apply to?

The code covers all employees of Chichester City Council, including agency employees, temporary workers, volunteers and internal contractors who carry out work on behalf of the Council.

Responsibility

All employees of the Council are expected to give the highest possible standard of service to the public and where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality.

All employees are encouraged, without fear of recrimination, to bring to the attention of the appropriate level of management any impropriety or breach of procedure that comes to their attention.

Abuses of the code

Employees who attempt to abuse this code may face disciplinary action. The Council takes false or misleading accusations very seriously which may result in further action being taken through the disciplinary procedure. This does not include ill-founded allegations that were made in good faith using the Council's Confidential Reporting (Whistleblowing) Policy.

Publicising and distributing the code

Every employee of the Council will be issued with an employee handbook containing the code of conduct for employees. A copy of the employee handbook will also be made available via the Council's website.

Employees will be asked to sign a statement to acknowledge that they have received a copy of the employee handbook, read the contents and agree to be bound by the policies contained within it.

Reviewing the code

The Council will keep the operation of this code under review and will make changes to the code where deemed appropriate, for example as a result of changing legislation.

Responsibility for reviewing and amending the employee code of conduct and policies contained in the employee handbook will rest with the Personnel Sub-Committee.

Equality and diversity

The Council is committed to treating all members of the local community, Councillors and employees with fairness and equity.

All employees have a responsibility to comply with the policies in the employee handbook designed to support this aim, principally the Council's Equality and Diversity Policy.

The Role as a Public Servant

The Council provides services that the public pay for via their Council Tax; the Chichester community is the Council's main customers and the employee's role is to serve the public in the best way possible.

Principles of Conduct

The list below sets out principles of conduct: how the Council expects staff to behave when doing their job. Some subjects are discussed in more detail in the following paragraphs.

- Leading by example - promote this principle by behaving in a way that gives people complete confidence in the Council.
- Uphold the law – everyone has a responsibility to uphold the law and to act in line with the trust that the Council and the public it serves, expect.
- Constituency – everyone has a responsibility to help the Council to act in the interests of the whole community that it serves as far as possible.
- Public interest – staff must never use their position for personal gain, either for themselves, or for family, friends and other contacts of acquaintances. This includes financial benefits, preferential treatment or any other advantage. This is known as nepotism.
- Honesty, integrity and propriety – as well as avoiding actual impropriety, staff must be seen to avoid it so that their honesty and integrity is beyond question. Public perception is very important.
- Gifts and hospitality – gifts or hospitality should not be accepted even with the best of intentions, as to do so might influence, or be intended to influence judgement.
- Objective decisions – decisions made in the job must be made solely on merit, including appointing someone, awarding contracts or recommending people for rewards or benefits.
- Accountability – staff are accountable for their individual actions and their part played in decision making.
- Openness – staff must be as open as possible about their actions and decision making and be seen to be open so that colleagues, Councillors and members of the public are confident there is nothing underhand being said or done.
- Confidentiality – all Council information and documents must be handled confidentially and in accordance with the law. Information gained in the course of your employment must not be used for private purposes.
- Council resources - resources must be used prudently and in accordance with the law.
- Declarations – there is a legal duty to declare any private interests that may impact on or conflict with your employment at the Council. This includes personal and familial relationships as well as business or financial interests. Any conflict of interest that may arise must be resolved.
- Relations with colleagues and Councillors – Showing respect for Councillors and other employees and always treating them with mutual respect in line with the Council's Civility and Respect Code.
- Uphold the Council's objectives - understand and act in accordance with the Council's vision and values policies and procedures.

In return the Council has a responsibility to ensure that all employees are clear on what is expected of them, also that there is a safe and healthy working environment that is free from discrimination,

harassment or bullying. Staff will be offered relevant training and development opportunities and also be given the opportunity to choose to be represented by a Trade Union in appropriate circumstances as determined by Council policy.

Customer Care and Courtesy

Employees are expected to be welcoming, helpful, informative and courteous as well as being professional to the public and to the Council's internal and external clients. Staff must be presentable and suitably dressed for their particular job, including wearing safety clothing and equipment if appropriate in line with the Council Health and Safety Policy. If a uniform has been issued, it is expected that this will be worn when on duty. A copy of the Health and Safety Policy can be found on the City Council SharePoint in the Policy Documents Folder.

Conduct towards Colleagues

Staff must always act in a polite and friendly manner to colleagues, making sure that any behaviour does not cause offence. The Council will not tolerate any form of bullying, oppression, sexual harassment, violence or aggression towards colleagues, Councillors or members of the public and will use its disciplinary policy to support this.

Time-Keeping and Attendance

Employees should be ready and able to carry out their duties at agreed times within reason and all time at work must be accurately recorded - falsifying records is a disciplinary offence.

Complying with Written Guidelines, Laws and Regulations

All employees should ensure they comply with the laws and regulations relevant to their job. Members of staff are responsible for understanding the conditions of service under which they are employed and should ask the Town Clerk for clarification if unclear about anything. This also includes compliance with corporate guidance, such as the Council's Standing Orders and Financial Regulations, as well as any specific departmental guidelines.

Where an individual has membership of a professional institute or association, they are also obliged to comply with the professional code and standards of practice relating to that organisation.

Conduct and Disciplinary Action

The Council will use its disciplinary process to deal with any conduct that falls below that expected. Examples of behaviour that constitutes misconduct and gross misconduct are found in the disciplinary section.

Outside Interests

Life away from work is the employee's own concern. However, staff must not put themselves in a position where the job and personal interests conflict. This includes behaviour which, because of the nature of the employment, would undermine the trust in the Council.

An example would be a member of staff facing criminal charges regardless of whether these were incurred on or off duty. It is important that the Town Clerk is informed immediately if the charges are in any way relevant to their employment, such as drug offences, crimes of violence, dishonesty or driving offences (if the nature of the job involves the use of a car or Council vehicle).

Additional Employment

The Council will not stop anyone from taking additional employment as long as it does not affect duties and responsibilities, or conflict with the interests of, or weaken, public confidence in the Council.

Staff considering taking on additional work should get permission from the Town Clerk and a record of approval will be maintained. This conduct rule applies to any employment, paid or unpaid, for example taking up office in an outside organisation e.g. charities such as local community associations.

Assets and information belonging to the Council cannot be used for personal work without gaining prior permission from the Council. If you are running or working for a private business, customers must be advised that the private nature of the work is in no way connected to the business of Council. Additional income received must be declared to HMRC and an assurance given that no tax or insurance liabilities will accrue to the Council.

Declaring Interests – Financial, Personal or Business

If a conflict of interest, or even a potential conflict, arises during the course of employment, it must be declared immediately. Management will then consider whether it is appropriate for the member of staff to take any further part in the matter. The responsibility to declare an interest lies with the employee and the interests will be recorded in the register of interests held at the Council.

All declarations of interest should be made in writing to the Town Clerk. If given verbally outside of a public meeting they should be written down and signed by the person making the declaration and the Town Clerk (at the earliest opportunity). If a declaration is made verbally in a public meeting this should be noted in the minutes and any action taken as a result of that declaration – e.g. the member/employee subsequently left the meeting room in which the discussion and decision was made.

An example of an interest might be where a contract has been or is to be awarded by the Council - a direct interest would be if an employee or their partner was directly involved with the contract on a personal, financial or other level. An indirect interest can relate to close family members or friends being involved in the contract or interest.

Political Considerations

Employees whose salaries are at spinal column point (SCP) 46 or above, as well as people paid less than SCP 46 but whose posts are determined by the Council as 'politically sensitive' may not stand for a political post or engage in certain political activities - such as canvassing or speaking publicly on behalf of a political party. Other employees are not eligible to stand for office as a member of parliament or of the City Council, but may participate in county, borough or parish Council activities, provided they declare any resultant conflict of interest.

Employees serve the Council as a whole and must serve all Councillors equally; therefore, employees cannot be accountable to political groups and must not compromise neutrality. The Council's protocol for relationships between Members/Councillors and staff must be followed when considering participation in political activity.

Confidentiality and Disclosure of Information

It is generally accepted that open government is best. Legislation requires that certain types of information must be available to Members, auditors, government departments, service users and the public. However, the regulations under the General Data Protection Regulations and the Freedom of Information Act 2000 must be borne in mind when dealing with information. As part of the job, staff will come across confidential information. This must remain private and confidential at all times, unless authorisation has been granted to divulge it or the Council is required to do so by law. Staff should exercise reasonable care to keep safe documents and material containing confidential information.

Information about another employee's private affairs must not be given to anyone outside the Council without the consent of the employee, or to anyone within the Council unless that person has authority or responsibility for such information.

Council contracts or purchasing arrangements cannot be used for personal benefit or to benefit any external function or organisation, unless prior approval has been granted.

Similarly, business information and documents should not be divulged to any third party or used in any way other than for the purpose of furthering the interests of the Council.

ICT (Information Communications Technology)

ICT is an umbrella term that includes all technologies for the manipulation and communication of information; this therefore includes hardware, computers, servers, telephones, printers, copiers, software, networks, applications etc.

The information stored and processed on the Council's ICT systems is of paramount importance to its day to day activities. Consequently, it is essential that the Council's systems and data are secure, reliable and resilient. In this respect the Council will undertake any necessary actions to ensure this is the case including that hardware is properly maintained, appropriate licenses are in place, anti-virus and filter measures are installed, electronic back-ups of data occur regularly, power failure back up is installed and so on.

All employees should be aware that all ICT equipment and associated packages are the property of the Council and provided for business purposes. Therefore, the Council reserves the right to monitor email, phone and internet use or restrict the up/downloading of non-business-related software. Employees must only use the Council's systems in an appropriate professional, legal and responsible manner. Good practices such as password protection, locking screens when unattended, not using unauthorised software and correctly shutting down/turning off individual PCs when out of the office should be adopted.

Surplus ICT equipment will be disposed of both securely and in an environmentally friendly manner. For further information please refer to the ICT Management Policy, which covers all aspects of ICT upgrade, monitoring, usage and disposal. In addition, you must also familiarise yourself with the Council's policies on Acceptable Use of IT, Media and Communications, and social media, contained within this Handbook.

Patent and Copyright

Patents - any issue, item or idea capable of being patented under the Patents Act that is developed or discovered in the course of duties should be brought to the attention of the Town Clerk. Subject to the provision of the Act, anything of this nature belongs to the Council. It is then the Council's responsibility to decide whether to apply for patent or other protection in law for any such invention.

Copyright - All records, documents and other papers compiled or acquired relating to the Council's finances and administration are the Council's property together with the copyright. However, the copyright of any academic work such as projects completed as part of a course to further a professional career including books, contributions to books, articles and conference papers will belong to the individual.

Using the Council's Resources

Council resources whether tangible assets such as materials, equipment and cash or business information such as trade secrets cannot be used for anything other than Council business.

Gifts and Hospitality

Care must be taken when accepting any offer of a gift or hospitality. Items of low intrinsic value, such as diaries and calendars, can be accepted if used at work. Hospitality, such as a working lunch or a function that is part of the life of the community or where the Council should be represented, can reasonably be accepted, but must be recorded on the Hospitality Register.

Anything of greater value or significance must be declined, politely but firmly, taking care not to give offence by explaining why, as a local government employee, you may not accept.

In a similar vein, offers from companies of promotional sales must be declined. Improved discounts are the only form of promotion that the Council would normally find acceptable, these should be recorded and provided to the auditor at the end of year.

Foreign Travel

Approval must be sought in advance from Council or the relevant Committee for all foreign travel on Council business, including twinning visits that the Council requires you to attend.

Smoking, Alcohol and Drugs (including prescribed)

Employees are not permitted to smoke (which includes the use of e-cigarettes and personal vaporisers) in Council premises or vehicles.

Alcohol is not permitted on Council premises during working hours, unless specifically approved by the Town Clerk (for example for serving at a civic function or during a letting where the appropriate license has been issued). The Council also prohibits the use, possession, distribution or sale of illicit or illegal drugs at work or when on Council business and will report any such activity to the Police.

You must not be under the influence of excess alcohol, recreational drugs or illegal substances whilst at work, and if required to drive on Council business, must not consume alcohol or take drugs at all during working hours on days where you will drive. This includes during your lunchbreak if you will be required to drive in the afternoon.

The Council may use the disciplinary procedures to deal with any unsatisfactory performance, attendance or behaviour caused by excess alcohol consumption or by drug use, depending on circumstances. If the alcohol or drug dependency problem is a medical case, then the Council will provide help, whenever possible. Support and counselling relating to such matters is available through the Council to all employees.

Employees taking legally prescribed or over-the-counter drugs must ensure that their use does not adversely affect work performance and the safety of other members of staff or the public. If the employee is required to drive for their job and is advised not to, as a result of taking medication, they should inform their line manager and must not be penalised. Alternative (non-driving) work, and/or an alternative means of transport should be found for them during this period.

Chair of the Personnel Sub-Committee

Irrespective of line management or communication lines indicated within Council policies for highlighting concerns or reporting actions or events which an individual employee may believe are contrary to the interests of the Council or other employees, any employee may request in writing to meet with the Chair of the Personnel Sub-Committee, setting out their concerns if they feel it appropriate to do so.

The letter should state why an initial talk with line management would not be appropriate.

MEMBER / OFFICER PROTOCOL

Effective working relationships between elected City Councillors and employees of the City Council are key, if the Council is to work effectively. There are also critical in maintaining public confidence in the workings of the Council.

This protocol is intended to guide Members and employees of the City Council in their relationships with one another. It is not intended to be prescriptive or comprehensive and simply seeks to offer guidance on some of the issues which can arise. It does not in any way replace the Code of Conduct by which Councillors are legally bound or the voluntary Civility and Respect Pledge that the Council has signed up to. Nor does it replace the employee Code of Conduct, however, the protocol may assist in interpreting what is required under either Code.

Roles and responsibilities

Understanding the different roles and responsibilities of Councillors and employees is key to maintaining good relations.

City Councillors decide on the priorities for the Council, set the budget, represent their constituents (including those who have not voted for them) and collectively make decisions on behalf of the Council.

Councillors are responsible to the electorate and serve only so long as their term of office lasts. A City Councillor can only serve for a maximum of 4 years before submitting themselves to the electoral process.

Employees of the Council implement the decisions made by Members. They can only make decisions themselves on behalf of the Council if the Council has decided to delegate a decision-making responsibility to the employee. Employees give information and advice to the Council and support City Councillors.

City Council employees are employed by and are responsible to the whole Council and not to any individual Councillor. Employees of the Council are managed by the Town Clerk in accordance with Council procedures. The Town Clerk is responsible to the whole Council.

Reasonable expectations of employees

It is reasonable for a Councillor to expect the City Council employees:

- To do their job effectively and efficiently.
- To behave in a manner which does not bring the Council into disrepute.
- To be helpful, respectful and courteous.
- To provide assistance to Members in carrying out their role.
- To deal with Members' enquiries fairly and efficiently.
- To be open and honest with Members.
- To work with all Members equally and fairly.
- To keep confidentiality where it is proper to do so.
- To be sensible about contacting Members at potentially inconvenient times unless in an emergency or otherwise agreed.
- To remember that they are employed by the whole Council and not by any individual Member.

Reasonable expectations of City Councillors

Employees can reasonably expect the City Councillors:

- To accept that the Council's employees are managed by the Town Clerk.
- To be helpful, respectful and courteous.
- Not to ask employees to breach Council policy or procedure or to act unlawfully.

- Not exert, influence or pressure or to request special treatment.
- Not to raise concerns about an employee in a public setting and to raise such concerns in an appropriate manner in accordance with Council policy.
- To respect that staff have a right to a private life and be sensible about making contact at potentially inconvenient times unless in an emergency or otherwise agreed.

Specific issues

Personal relationships

Good working relationships are critical between Members and employees but close familiarities could prove embarrassing to other Councillors and employees and give rise to potential conflicts of interest. Such close familiarities should therefore be avoided '*wherever possible*'. Close intimate or familial relationships between Council employees and/or Members should be declared as a potential conflict of interest in accordance with the Code of Conduct.

Giving instructions to employees

Only the Town Clerk can give instructions to employees of the Council and only the Full Council or a properly constituted committee can give instructions to the Town Clerk. Individual City Councillors should not therefore attempt to direct the work of employees.

Mayor, Deputy Mayor, Chairmen and Vice-Chairmen

The Mayor and Deputy Mayor and Chairs and Vice Chairs of Council Committees have additional responsibilities. Because of those responsibilities, their relationships with employees may differ from and be more complex than those of Councillors without those responsibilities and this is recognised in the expectations they are entitled to have. However, such Councillors must still respect the impartiality of officers, must not ask them to undertake work of a party-political nature, or to do anything which would put them in difficulty in the event of a change in the political composition of the authority.

Complaints about employees or services

City Councillors have a right to criticise the report, advice or action of employees. However, it has to be recognised that employees will find it difficult to answer back to such criticism and therefore any criticism must not be in the form of a personal attack and must be constructive and well founded.

City Councillors must avoid undermining public respect for employees and should therefore avoid making any criticism of an employee at a public meeting, in the press or by way of any other public statement, including via email if a number of others are copied in, or in an open office when other Council employees are present. Making such criticisms would be damaging to the public image of the City Council. It would also undermine the mutual trust and courtesy which underpins effective working relationships. If a Councillor wishes to raise an issue about an employee they should use any established channels in place or, direct their concerns through the Mayor/Deputy Mayor.

Information sharing

All City Councillors have a right to expect to be kept informed about matters on which they may be required to make decisions or which affect the City. The Town Clerk should aim to ensure that all Members are kept fully informed in relation to important issues.

If the City Council organises a meeting to consider a local issue, then all City Councillors must be invited to attend that meeting.

So far as documents and other information held by the Council are concerned much of it will be in the public domain and Councillors have the same right as any member of the public to see that information. So, City Councillors have the same right as the public to have access to agendas, reports and minutes of meetings which are held in public and have the right to access information given by the Freedom of Information Act. City Councillors have additional rights to access information as well. Clearly, they are entitled to have access to reports of matters which are to be considered at Council meetings in a private session. In addition, Councillors have the right to access any other City Council information where they can show they have a 'need to know'. Any request to access Council information should be made to the Town Clerk. If the Town Clerk is uncertain as to whether the Councillor is entitled to access that information, then they should refer the question to the Council for a decision.

The process of gathering information to respond to Members requests can be time consuming and expensive for the City Council so Members should consider before they make an information request whether they really need the information and should be prepared to discuss with the Town Clerk whether less, more easily obtained information would be sufficient.

Correspondence

Correspondence between Members and employees should not normally be copied to any other party. In particular, when using email, the use of blind copies should be avoided. There are exceptions to this general rule. If the original correspondence was copied to other parties, then it is legitimate to send a response to those parties. There may also be occasions where the correspondent gives rise to concern for the employee for example in relation to possible breaches of the Code of Conduct or that the Council may be brought into disrepute by the actions of the Councillor. In such cases it is legitimate for the employee to share correspondence with the Town Clerk, Mayor or, where appropriate, the Monitoring Officer of Chichester District Council.

PROBATION PERIOD

All employees who are newly recruited to the Council will be expected to complete a probationary period, details of which will be included in your contract of employment. In some cases, employees who change jobs within the Council may be subject to a probationary period in their new role, particularly if this is a more senior role or a role in a new area of work.

Starting a new job within a new organisation can sometimes be difficult. It takes time to learn the culture of any organisation, together with the policies, procedures and processes. This probation policy has been written to provide guidance on the probationary period and what to expect. It is important that you read this guide and follow it. If you have any queries about the information provided in this document, please speak to your manager.

The purpose of the probationary period

The purpose of the probationary period is to assess your suitability for the role and the Council. It is, in effect, a trial period. However, it is also an opportunity for you to decide whether the job and organisation is suitable for you.

During your probationary period, you will be provided with a greater level of support than would be the case with established employees. This support will help you to understand the demands of the post in more detail and therefore should assist you and us to establish your suitability for the post.

Duration of the probationary period

The length of your probationary period and any special terms and conditions which apply during the probationary period, such as a different or shorter notice period, will be stated on your employment contract. If you are unsure of the length of your probationary period, please speak to your manager.

Supervision and Support

During your probationary period, your manager will:

- Ensure a thorough induction program is set up for you;
- Provide regular supervision via observation, receiving feedback from others, monitoring the quality of work and regular one-to-one meetings. These activities provide the opportunity to identify areas where you demonstrate strengths as well as those that need to improve and help identify any training and development needs.
- Arrange formal review meetings at agreed intervals.

The following information will be kept on your personnel file:

- A copy of all the supervision notes which will include a record of any areas of concern and discussions of improvements that need to be made;
- A note of any development opportunities which you have taken part in;
- A note of any development opportunities which you have been offered, but have either refused or failed to attend;
- A note of any support or guidance given or requested which is in addition to the formal supervision offered.
- A record of attendance at work including timekeeping and any absence from work for sickness or other reasons.

One-to-One Meetings

These meetings are an opportunity for you and your manager to discuss your progress. That is to talk about the things that have gone well as well as those that could have been better. These meetings are an opportunity for you to request specific support, clarify any queries about the Council or your job or discuss any areas of concern about the work or how you are settling in. It is important therefore that you give thought to these sessions in advance and come prepared with examples of what you think you have done well and what you think you could have done better. Your manager may also explore further training or other development activities that may help support you through the probationary period.

Formal reviews

Your line manager will arrange at least one formal review during the probationary period, which is in addition to the regular one-to-one sessions. It is likely that formal meetings will be held at the half-way point of your probation period, as well as shortly before it is due to end. Other formal meetings may be held if your line manager has anything specific they want to discuss with you, or any concerns to raise.

Occasionally a newly appointed member of staff may feel that the job is not for them. This may be the result of either work, domestic or personal reasons. Whatever the reason, if you are having second thoughts, we urge you to talk to your line manager. Our aim is to be supportive and where possible provide a reasonable level of practical support and assistance to enable you to meet the standards of performance and attendance required, and therefore to be confirmed in your employment with the Council.

Absences

You are expected to have a good attendance record at all times during employment with the Council. A poor level of attendance, including timekeeping, will therefore be taken into account when reviewing your probationary period and may well result in not confirming you in post. However, individual circumstances relating to absences or poor timekeeping will be taken into consideration so higher than expected levels of absence will not automatically lead to non-confirmation.

Disabled employees

The Council recognises its obligations under the Equality Act 2010 to make reasonable adjustments to allow disabled employees to participate fully in employment without disadvantage. Disabled employees should discuss the impact of their disability in the job with their manager, and together seek solutions and adjustments to assist the employee to best deliver their job.

Reasonable adjustments may include the purchase of additional equipment or software, changes to the layout of the physical workplace, adjustments to duties, responsibilities or working hours, or changes to Council policies or procedures. If the employee and their manager cannot agree on what is reasonable in terms of a reasonable adjustment, the decision will rest with the Town Clerk. The Council reserves the right to seek advice on reasonable adjustments from external third parties, including Occupational Health providers or HR specialists, if necessary.

Performance during Probationary Period

The Council strives to ensure that the recruitment and selection procedures ensure that the right candidate is appointed to a post. It is rare therefore that a new member of staff fails to establish their suitability during the probationary period. However, if your line manager believes that you need to make significant progress in order to demonstrate your suitability for the position, they will explain the areas where progress is expected, the level of progress required as well as when the progress is expected to be demonstrated/the expected standards of performance reached. Your line manager will also agree what support, if any, is

reasonable to provide in the circumstances to help achieve the required progress. In the vast majority of cases, this is all that is needed to ensure performance is on track and you can then establish your suitability and be confirmed in post.

In the event that improvements to either performance or attendance are required, it is possible that your probation period may be extended, with specific targets or areas for improvement set out that you are expected to meet within the timeframe. This will always be clearly communicated with you and you will have the opportunity to talk to your line manager about any concerns you have.

If, during or at the end of the probationary period or any extension of the probation period, your line manager continues to have concern regarding your suitability, where required improvements in performance have not been demonstrated despite appropriate support, training or guidance having been provided, or where a lack of capability is so manifest that the Council needs to consider whether it is necessary to end your employment, a Final Formal Meeting will be convened in accordance with the final stage of the Council's Performance Improvement Procedure.

Successful completion of the probationary period

If your line manager is happy with your suitability for the role, and you have achieved the standards of performance and attendance required, they will write to you at the end of your probation period and confirm that you have passed your probationary period and are confirmed in post.

ANNUAL LEAVE

Annual Leave Entitlement

Your paid leave entitlement is set out in your individual contract of employment. The Council follows the NJC for Local Government Services terms and conditions of employment ('the Green Book'). As at April 2024, the basic leave entitlement is equivalent to 23 days per annum, in addition to bank and public holidays and 2 additional statutory days. Basic annual leave entitlement increases to 28 days after 5 years' service. Part time employees will receive an entitlement that is pro-rated according to their hours of work/proportion of the year worked.

Statutory / Public Holidays

There are normally 8 public and bank holidays per year. Part time employees will receive an entitlement that is pro-rated according to their hours of work.

If you are normally required to work on Bank Holidays, your contract of employment will specify whether any additional payments and time off in lieu is due. If you are on a fixed hours contract and would therefore not normally work on a Bank Holiday, where required to work on a bank holiday then double time will be awarded to you for the time worked.

Working Part Time

If your pro rata entitlement to time off on Bank Holidays exceeds the number of Statutory/Public Holidays that fall on your normal working days, (typically because you don't work on Mondays) you will be able to take the excess as paid holiday. If your entitlement is less than the number of Bank Holidays that fall on your normal working days, (typically because your normal working days include Mondays) then you can make up the difference by using your holiday entitlement. With agreement from your line manager, it may be possible to work additional hours to make up the deficit or take unpaid leave, instead of using holiday entitlement.

Leave Year

The leave year runs from 1st April to 31st March. It is your responsibility to manage your leave in such a way that you are able to take it all during the leave year.

Carrying Over Leave

Where it has not been possible to take all your leave in the current leave year and only with prior written consent from your line manager, you will be permitted to carry forward up to a maximum of 5 days leave, or the equivalent of a normal working week if you work part time.

Requesting Leave

You should request leave from your line manager, with as much notice as possible, using your Annual Leave card. This will allow your line manager to plan for your absence. Before granting leave your line manager will consider;

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

Your line manager will be expected to balance your needs against the needs of the team before agreeing to leave. Annual leave will not be unreasonably refused. If you take holiday without such permission it will be treated as unauthorised absence, is likely to be unpaid and will be dealt with under the Disciplinary Procedure.

Annual leave requests are granted on a first come, first served basis.

Sickness during Leave

If you become ill during a requested period of paid leave, you must comply with the requirements of the sickness reporting and certification procedure if you wish to have this sickness period discounted from the period of paid leave taken. It is important that you contact your line manager on the first day of sickness and keep them up to date during the period of sickness. Sick leave in this circumstance will not be backdated, so you must ensure you contact your manager on the first day of sickness.

Payment of Annual Leave

Holiday pay is calculated on the basis of your current rate of pay based on total hours worked in the past 12 months.

Payment in Lieu

If you leave the Council's employ during the course of a leave year you will receive a pro-rata leave entitlement based on the number of completed weeks worked. You should make every effort to take any outstanding leave before leaving employment, but if for operational reasons you are unable to do so, the Town Clerk may approve a payment in lieu of any outstanding accrued holiday.

If, however, you have taken more paid leave than is due by this calculation, then a deduction will be made from your salary payments for the days in question. Such a deduction will be deemed to be a contractually authorised deduction.

SICKNESS ABSENCE REPORTING AND MANAGEMENT POLICY

Introduction

Purpose

The Council aims to encourage all its employees to maximise their attendance at work while recognising that employees will, from time to time, be unable to come to work because of ill health.

While the Council understands that there will inevitably be some sickness absence among employees, it must also pay due regard to its operational needs. If an employee is persistently absent from work, this can damage efficiency and productivity, and place an additional burden on the employee's colleagues.

By implementing this policy, the Council aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.

This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the Town Clerk/Personnel Sub Committee.

Definitions

The following definitions are used in this policy:

"Period of sickness absence" or "instance of sickness absence" means any continuous period of sickness absence, of whatever length, during which the employee does not work as a result of ill health.

"Short-term sickness absence" means any period of sickness lasting from a few hours up to 27 calendar days.

"Long-term sickness absence" means any period of sickness lasting 28 calendar days or more.

"Frequent short term sickness absence" means more than eight working days of absence in any 12 month period (1.6 working weeks for part-time employees), or more than three absence occasions in any 12 month period.

"Formal review period" means a defined period during which an employee is required to show an improvement in their attendance levels under the Council's sickness absence management procedure.

Scope

This policy sets out employees' obligations to notify the Council promptly if they are ill and unable to work, confirms how to report sickness absence, and what documentation is required. This policy also set out the requirement for employees to remain in regular communication with the Council during any period of sickness absence, and to co-operate with Council requests for specialist medical reports if required. This policy also sets out how the Council will manage periods of long-term absence, or frequent short term absences, including when external medical advice may be sought.

The Council has other policies in place to deal with time off work for personal reasons/family reasons/special leave/compassionate leave. Employees must only take sick leave when they themselves are ill and unable to work. See the relevant sections of this Handbook for details.

This policy applies only to genuine sickness absence/ill-health. If the Council suspects there to be misconduct, its separate disciplinary procedure will apply. For example, the Council may take disciplinary action in respect of absences where it is known or suspected that:

- absence is not due to genuine ill health or not for the reason provided;
- an employee is undertaking inappropriate activities while off sick, such as carrying out work for another Council or a private enterprise; or
- the correct sickness absence reporting procedure has not been followed and/or necessary documentation has not been provided.

This policy applies to employees only and does not apply to contractors, consultants, agency workers or any self-employed individuals working for the Council.

Special cases

Pregnancy-related absences

Pregnant employees who are off work because of pregnancy-related ill health must abide by the Council's absence reporting procedure. For example, a pregnant employee is subject to the usual absence notification and documentation requirements, and will be asked to attend a return-to-work meeting when returning to work. However, any sickness absence by a pregnant employee for a pregnancy-related reason will be disregarded by managers when considering whether formal action under the Council's absence management procedure is required.

If the manager is in any doubt as to whether or not a pregnant employee's absence is related to their pregnancy, the manager should contact the Town Clerk for clarification. The Council may need to seek external medical advice as to whether an absence is pregnancy-related or not.

If an employee is absent for pregnancy-related reasons within four weeks of the expected week of childbirth, this may trigger the early commencement of maternity leave. See the Maternity Leave policy in the Staff Handbook for more details.

Employees with a disability

The Councils recognises and accepts its obligations to make reasonable adjustments to premises, equipment, policies, procedures and ways of working to ensure that disabled employees are able to work effectively and efficiently in their jobs. This includes facilitating regular attendance at work.

Managers should remember that the legal definition of a "disability" is wide and it may be necessary to seek further information. If in doubt, the manager should contact the Town Clerk for clarification. The Council may choose to seek advice from Occupational Health at any time as to whether an employee's medical condition, illness or neurodiversity is likely to be considered a disability, and if so what adjustments may be considered to assist that employee.

There are many possible adjustments which may be considered to support employees with a disability. It is for the Council to consider and determine whether a suggested adjustment is reasonable or not in each individual case. As regards sickness absence, a reasonable adjustment may be that a higher level of sickness absence is accepted in the case of an employee with a disability, or that disability-related absences are disregarded for the purpose of formal action under this absence management procedure.

No employee will be dismissed or offered a variation to contract as an alternative to dismissal under this procedure until all suggested adjustments deemed to be reasonable have been made.

Responsibilities

Guidelines for line managers

Line managers should:

- take responsibility for managing and monitoring their staff's attendance and absence;
- maintain a proper record of each employee's sickness absences by completing an absence record form for the employee;
- require the employee to complete a self-certification form for sickness of seven calendar days or less and monitor the provision of appropriate medical evidence/documentation for sickness of more than seven calendar days;
- remain in regular contact with the employee during any period of absence lasting seven or more calendar days;
- conduct a return-to-work meeting each time the employee returns from a period of sickness absence, even if the absence is one day or less;
- speak to the employee about the absence and the reason for it in a fair and factual way;
- be supportive towards the employee and, where appropriate, seek to identify ways in which to assist the employee to improve their attendance in the future;
- be alert to patterns of absence, for example frequent absences on Fridays or Mondays, or immediately before or after bank or public holidays, or periods of annual leave;
- try to establish any underlying reasons for frequent absences and, where the underlying cause is identified, take steps to help the employee to manage the cause;
- seek medical advice, if appropriate, to determine whether or not there is any underlying medical cause for the employee's frequent absences;
- be particularly sensitive when absences are caused by personal or family problems, and consider whether special or compassionate leave may be appropriate as an alternative to sickness absence;
- show a reasonable degree of tolerance and sympathy towards the employee's sickness absence, while at the same time making clear that continuing frequent absences from work are unacceptable due to the disruption to the Council;
- check whether or not the employee's absences are or could be in any way work related, for example as a result of workplace stress;
- bear in mind that the Council may seek a medical report on an employee, for example from the employee's doctor or the Council's occupational health advisers at any stage during employment whether or not the employee is absent at the time;
- keep confidential records of all absences, including discussions and medical certificates, and make sure that the records clearly identify the reasons for the employee's various absences;
- comply with their obligations under the General Data Protection Regulations when processing medical or health data about any employee;
- be aware of the need for special consideration when managing certain types of absence, particularly where the employee's ill health or absence is related to pregnancy or to a disability;
- keep in mind the Council's duty to make reasonable adjustments for disabled people when managing absence; and
- consult with the Town Clerk if unsure about anything or special circumstances arise, for example if it appears that the employee may have a disability.

Guidelines for employees

Employees should:

- if they are unable to attend work because of ill health, notify their manager as soon as reasonably practicable, in accordance with the sickness absence reporting procedure set out below;
- continue to keep in touch with their manager while unable to attend work, including provision of relevant documentation and regular updates if the period of absence is to be extended beyond the originally anticipated date of return to work;
- be prepared to give their manager a clear reason (i.e. the nature of the illness or injury) why they cannot attend work, and estimate how long they think the absence will last;
- complete a self-certification form for sickness of seven calendar days or less and provide medical evidence/documentation (such as 'fit notes' issued by the GP or other health professional) for sickness absence of more than seven calendar days;
- attend a return-to-work meeting with their manager each time the employee returns from a period of sickness absence;
- be open with their manager about the reasons for their absence, to give the manager the opportunity to provide support where possible;
- tell their manager of any extenuating circumstances, for example personal or family problems or an unmanageable workload;
- co-operate with any external health professionals appointed by the Council if seeking a medical report, for example from the employee's doctor or the Council's occupational health advisers, including attending consultations; and
- cooperate with the Council with regard to the possible implementation of any adjustments to job duties, hours or working conditions to facilitate a return to work or improved attendance, particularly those suggested by a doctor or Occupational Health professional.

Notification and evidence of sickness absence

Reporting absence

On the first day of sickness absence, the employee must inform their manager as soon as reasonably practicable that they will not be working because of illness or injury. Normally, the employee should notify their manager of non-attendance by telephone before they are due to start work and, in any event, no later than one hour after they are due to begin work. If the employee's manager is unavailable, the employee should contact the next most appropriate person within the department, or the Town Clerk.

The employee should provide a clear reason (i.e. the nature of the illness or injury) why they cannot attend work and estimate how long they think the absence will last. The employee should also be prepared to discuss briefly any consequences of their absence, for example if customer appointments need to be cancelled or any essential work needs to be covered.

Notification of sickness absence must normally be via telephone, rather than text message, email or social media messaging. In exceptional circumstances, where the employee is unable to telephone (for example, because of hospitalisation), another person such as a friend or relative may contact the Council on their behalf. This individual should be prepared to discuss the reasons for the employee's absence and the likely duration of the absence, in addition to providing their own contact details for the manager to use if they are unable to speak to the employee directly.

Ill health occurring at work

If an employee comes to work but needs to leave during the day because of ill health, they must inform their manager before leaving work. If the manager is unavailable, the employee should inform the next most appropriate person within the team, or the Town Clerk.

Sickness absence that begins part way through the day will count as one full day's sickness absence if the employee leaves before completing 50% of their working day. Where sickness absence begins after the employee has completed 50% of their working day, this should be recorded as half a day's absence.

Maintaining regular communication during any period of absence

If a short term sickness absence is expected to last more than one day, the employee should telephone their manager a day or two ahead of the end of this expected absence period to confirm either their return to work as expected, or their expectation that the absence will be extended and the likely duration.

In the case of long term sickness absence, employees should inform their manager in advance of the expiry of any fit note as to whether they anticipate returning to work, or being signed off for a further period. Employees should also keep their manager informed of the dates of any appointments with their GP or other health professional who may be expected to provide to advice on return to work, or a further fit note.

Employees are obliged to maintain regular communication with the Council during any period of absence, but managers should use their discretion and can agree different arrangements with the employee, for example if the employee is hospitalised.

If the nature of the employee's absence or condition means that they cannot personally maintain communication with their manager, the employee may nominate a trusted third party (including friends or family members) to provide the manager with timely updates on their condition and likely return to work. This nominated third party must provide their own contact details and accept that the manager will contact them regularly if necessary. In this case, the nominated third party essentially accepts the employee's obligation to maintain communications with the Council.

Self-certification of sickness absence

If the sickness absence is for seven calendar days or less, on the first day of the employee's return to work, they must obtain, complete and sign a self-certification form, setting out the dates of absence and the nature of the illness or injury, and pass the form to their line manager. A copy of the form is available from your manager.

The line manager should countersign the form and pass it on to the Deputy Town Clerk for recording.

Statement of fitness for work (fit note)

While the first seven calendar days of sickness can be self certificated, all sickness absences that last longer than seven calendar days require medical evidence. This medical evidence will normally be in the form of a doctor's fit note, also known as a "statement of fitness for work" or 'fit note' for short (Med3).

If the employee's sickness lasts for eight calendar days or more, the employee must obtain a fit note from their doctor as soon as possible, and provide this to their line manager. A doctor's fit note may state that the employee:

- is "not fit for work", in which case the employee should remain off work; or
- "may be fit for work", if the doctor's recommendations are followed (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations).

While there is no legal obligation on the Council to follow the recommendations, managers should take what the employee's doctor has written seriously and give fair consideration - in consultation with the employee - as to whether or not any of the changes recommended by the doctor can be accommodated.

Employees must provide fit notes to continuously cover all days of absence after the seventh calendar day. This means that if an employee is not fit to return to work when a fit note expires, they must request a further fit note from the GP.

The Council recognises that it may sometimes be difficult to get timely appointments with GPs, and that some surgeries will not make appointments to discuss fit notes until the previous fit note has expired. Your doctor can backdate a fit note if necessary, so if this is the case, please simply keep your manager informed of the date on which you have your appointment and when you expect to be able to provide the fit note.

Sick pay

The Council operates an occupational sick pay scheme set out in the NJC for Local Government Services Terms and Conditions (Green Book) that is more generous than the government's statutory sick pay scheme (SSP). Entitlement to full or half pay under the Occupational sick pay scheme is dependent on length of service, and absence history. Full details of the scheme are provided in the contract of employment. Payments under the Council's scheme will be calculated by reference to the employee's basic salary only and any payments made under the Council's scheme are inclusive of any entitlement to SSP for the same period of absence.

An employee who is not eligible for pay under the Occupational sick pay scheme may still receive SSP, subject to meeting the eligibility criteria, including earnings levels.

The Council reserves the right to withhold or suspend sick pay under its occupational sick pay scheme in cases of misconduct, or where the reporting and evidence procedures set out in this policy are not followed. Circumstances in which the Council may consider suspending or withholding payment of occupational sick pay may include where:

- Where the employee has failed to comply with the Council's sickness absence notification and evidence requirements, including failure to provide continuous fit notes;
- Where the employee refuses to attend a medical examination (such as an Occupational Health appointment) or to co-operate with an external medical advisor, at the reasonable request of the Council;
- Where the employee's incapacity has been caused by participation in dangerous sports or activities or any other secondary occupation the employee has, whether or not declared to the Council in advance;
- Where the employee makes or produces any misleading, untrue or fraudulent statement or document concerning their fitness to work;
- In the event of disciplinary proceedings relating to the absence being taken against the employee.

The employee will normally be entitled to receive SSP when contractual sick pay is withheld or suspended, although the Council can withhold or suspend SSP if it is not satisfied that the employee is genuinely ill, and/or if no evidence of sickness (e.g. a fit note) is provided.

Employees will be given written notice if their SSP or contractual sick pay is to be withheld or suspended.

Sick pay under the Council's scheme is subject to the usual deductions for PAYE, national insurance, pension contributions, etc.

Medical appointments

The Council recognises that employees will, from time to time, need to attend medical appointments which may take place during normal working hours. Employees should endeavour to arrange medical appointments in their own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the Council, such as the beginning or end of the day. Employees are expected to use the considerable flexibility granted within the Council's Flexible Working Policy and to make the time up or use TOIL to manage their time off for medical appointments during normal working hours.

The Council accepts that it is not always possible to arrange medical appointments outside working hours and where the nature of the employee's job means that time cannot be made up it is the Council's policy to permit reasonable time off work for such appointments. Absences of a half day or more (e.g. to attend hospital appointments) may be treated as sickness absence, and will be deducted from sickness absence entitlements. This will include in-patient appointments or procedures taking the whole day.

Employees must obtain approval from their line manager in advance of any appointment. The line manager reserves the right to ask the employee to reschedule an appointment if its timing would cause significant disruption to the Council's business. The line manager may also, at their discretion, ask the employee to produce confirmation of the appointment.

Provided that the employee gives their line manager reasonable notice of the date and time of any medical appointment, time off will normally be granted, although this is subject to the discretion of the employee's line manager.

Where time off for medical appointments becomes frequent or regular, or causes operational difficulties for the Council, the line manager has the discretion either to require the employee to amend their working hours to accommodate future appointments, or to grant any further time off without pay.

Pregnant employees

Employees who are pregnant have the statutory right not to be unreasonably refused paid time off work for antenatal appointments where the employee's attendance has been recommended by a registered medical practitioner, midwife or nurse. Paid time off in such circumstances will automatically be granted, although employees should endeavour to arrange appointments outside working hours, or at less disruptive times of day. Nevertheless, the employee should give reasonable notice of the date and time of the appointment to their line manager where possible and the line manager will still have the right to request to see the confirmation of the employee's second appointment and any subsequent appointments.

A prospective father, or partner of a pregnant woman, has the statutory right to take unpaid time off to attend up to two antenatal appointments.

Return to work

Actions required by the employee and line manager

On an employee's first day back after any period of sickness absence, the manager should meet with the employee to carry out an informal return to work meeting. The purpose of the meeting is:

- To confirm the reasons for the absence, and check that the employee is well enough to return to work
- To explore any possible underlying reasons for the absence
- To discuss whether any amendments or adjustments are needed to support the employee's return to work

- To update the employee on anything they need to know about work or their job/team that has happened whilst they were absent
- To ensure that any necessary documentation/medical evidence is completed or submitted. This includes a self-certification form (where the sickness is seven calendar days or less - see above), or fit notes (where the absence is longer than seven calendar days - see above).
- To discuss any concerns the manager has about frequency or pattern of sickness absences

If it is not possible to hold this return to work meeting on the employee's first day back (for example, for operational reasons or because the manager is not available), the informal meeting should take place as soon as reasonably practicable after the return to work.

The line manager should invite the employee to an informal return-to-work meeting each time the employee returns from a period of sickness absence, even if the absence has lasted just one day.

The return-to-work meeting should take place in a private place, and all discussions between the employee and the manager should be private and confidential. The manager should keep brief notes of the discussion, and if any actions are agreed as part of the meeting, the manager should confirm these to the employee in writing.

Updating the employee's absence record

The line manager should update the employee's absence record form as soon as the employee returns to work. This should record the dates of the employee's absence, and the reasons for the absence (i.e. the nature of the illness or injury that has led to the employee's absence). It is very important that the manager completes this record each time the employee returns to work, so that the Council can keep track of the employee's pattern of absence and ensure pay is correct.

There may be occasions on which the underlying reasons for the employee's absence are not easily classifiable. For example, the employee may have more than one health condition, or the employee may have been feeling unwell because of a bereavement. If there is any doubt as to the reasons for the employee's absence, the manager should consult the Town Clerk to determine the most appropriate reason for absence to record.

Sickness absence and annual leave

Sickness during holiday

Where an employee falls sick or is injured while on holiday, the Council will allow the employee to transfer to sick leave and take replacement holiday at a later time, providing that the absence is properly reported and appropriate medical evidence provided in a timely manner.

Replacement annual leave will only be granted subject to the following strict conditions:

- The total period of ill health must be fully certificated by a qualified medical practitioner where it exceeds seven calendar days.
- The employee must contact the Council (by telephone if possible) as soon as they fall sick or are injured during a holiday.
- The employee must submit a written request no later than 10 days after returning to work setting out how much of the holiday period was affected by sickness and the amount of annual leave that the employee wishes to be recredited to take at another time.
- Where the employee is overseas when they fall ill or are injured, written medical evidence must still be produced that the employee was ill

Where the employee fulfils all of the above conditions, the Council will grant the employee the same number of days' replacement holiday leave as the number of holiday days lost due to sickness or injury.

If an employee is ill or is injured before the start of a period of planned holiday, and is consequently unable to take the holiday, the Council will agree to the employee postponing the holiday dates to another mutually agreed time. Any period of sickness absence will then be treated in accordance with the Council's normal policy on sickness absence. The employee must submit a written request to postpone the planned holiday and this must be accompanied by medical evidence confirming that they are unfit, or are likely to be unfit, to take the holiday.

Holiday during sick leave

An employee who is absent on sick leave will continue to accrue their contractual holiday entitlement and will be given the opportunity to take this at a later date. This will include carrying over untaken statutory holiday entitlement into a subsequent leave year, if they were unable to take their full holiday entitlement in the appropriate leave year due to being on sick leave.

An employee on long term sick leave may apply to take their holiday entitlement while on sick leave. In particular, employees on half pay or nil pay may choose to take paid holiday during the period of sickness absence in order to receive full pay for that holiday period. Any days of annual leave taken during a period of sickness absence will not count towards the calculation of sick pay entitlement, but will not reset the start date of the absence as they will not constitute a return to work. Any holiday dates must be requested and approved in accordance with the procedure set out in the Council's holiday policy.

Medical and Occupational Health referrals

At any stage of managing an employee's attendance or sickness absence, the Council may wish to obtain advice on an employee's fitness for work, medical condition or disability from occupational health advisers or other relevant medical practitioners. A request for a report, or referral to any medical specialist may be initiated whenever the Council considers it necessary, regardless of whether the employee is absent from work or not. Referrals may also be made before a successful applicant starts work with the Council, if necessary to obtain advice on adjustments required to accommodate a disability, or to assess likely attendance.

The referral process is intended to be supportive, exploring the reasons for any absence, prognosis, and what the Council could do to support any employee to return to work or, in the case of frequent short term absence, to improve their attendance. In the case of employees with a disability, medical advice may be sought even where there are no sickness absences or attendance issues, to ensure that the Council is able to make reasonable adjustments to enable the employee to perform their duties as effectively as possible.

Examples of when a manager might refer for specialist medical advice include to:

- seek a medical report on the employee's condition and its impacts on their employment/on the individual at work;
- establish whether there may be an underlying health condition causing or affecting frequent short term absences;
- establish when an absent employee might be able to return to work after long term absence;

- ask for guidance on the employee's condition, for example if there is a possibility that the employee is disabled or ambiguity as to the exact nature of the condition, timescale for recovery or prognosis; and/or
- if the employee is disabled, to discuss any adjustments that could be considered to accommodate the employee's disability.
- To ascertain if there are any actions that may be considered to support the employee to return to work sooner/to improve their attendance

Where the Council wishes to seek external medical advice, the Council will discuss the request/referral with the employee, inform them of the reasons for the referral and the specific questions to be asked. Where it is necessary to request a report from the employee's own medical practitioner, the Council will ensure the employee is fully informed of their rights under the Access to Medical Reports Act, including the right to inspect the report before it is sent to the Council and to raise any objections to the report with the medical practitioner. Employees will be asked to sign a consent form to provide their permission for the report to be obtained. Where an employee is referred to Occupational Health or another medical specialist who has not provided care to the employee, no consent form is necessary as there is no request to access medical records.

When requesting a report from any external medical practitioner, including Occupational Health, the Council will provide the medical practitioner with as much information as possible on the role of the employee, explain the reasons for the referral, and any specific areas of advice required/ask any specific questions that it wishes the practitioner to answer.

Where the employee refuses permission for the Council to contact their own medical practitioner, or refuses to engage with an Occupational Health provider or other medical specialist nominated by the Council, the Council will inform the employee that a decision relating to their employment may be made without the benefit of access to medical reports and advice. This will also apply where the employee unreasonably delays giving their consent, or engaging with a medical practitioner. This includes failure to attend scheduled appointments and non co-operation such as failure to respond to emails or telephone calls from the medical adviser.

Once a requested report has been received, the manager will discuss the report with the employee, and if necessary outline an action plan to assist the employee to return to work or to improve their attendance. This may include:

- Discussing and agreeing on adjustments to be made to premises, equipment, policies, procedures, or ways of working
- Agreeing on a timetable for a return to work, including a phased return or other short term adjustments to working time or duties
- Setting targets for improvement of attendance, including specifying the relevant review period
- Determining whether it is necessary to move into the formal stage of the absence management process
- Determining whether it is necessary to investigate the issue under the Council's disciplinary procedure

Sickness absence management procedure

Informal stage

Purpose

The purpose of the informal stage is to allow managers and employees to discuss absence and attendance, and to set expectations and provide updates about fitness to work. Informal meetings are intended to be supportive, to enable the employee to either improve their attendance (in the case of frequent short term absence), or to assist the employee to return to work (in the case of long term absence).

Procedure

A manager may arrange an informal meeting to discuss an employee's absence/attendance at any time. In the case of short term absence, this may be to discuss concerns about an employee's attendance, frequent short term absence, or absence pattern. In the case of long term absence, this may be to get an update on recovery/prognosis, discuss likelihood of/timescale for a return to work, or to discuss adjustments necessary to assist the employee to return to work. Medical advice may be sought from Occupational Health or any other specialist provider at any time during the informal stage.

The manager will set out their concerns including any impacts on performance, explore the nature of the absence(s), seek updates or documentation from the employee, consider advice received from Occupational Health (or other medical specialist) and consider whether any adjustments are needed to assist the employee to either improve their attendance/performance or return to work. Targets may be set, and/or a review period agreed.

After the meeting the manager will provide the employee with a written summary of the discussion and any agreed actions or targets, in addition to confirming the length of any review period. This may be via email.

Managers may hold more than one informal meeting, depending on the individual employee's circumstances and the nature of the absence. It will normally be necessary to have held at least one meeting under the informal stage before proceeding to the formal stage of this procedure.

If targets have been set, or if a long term absence is continuing and a return to work date has not yet agreed, review meetings between the manager and the employee must be held at the agreed intervals. The manager must provide the employee with a summary of the review meeting and any agreed actions, or timescale for further review.

The manager may decide that it is necessary to proceed to the formal stage at any time, and will inform the employee of this. This may happen for a number of reasons, including:

- If there has been further short term absence during the review period
- If attendance targets have not been met
- If medical advice indicates that there are no underlying health reasons for frequent short term absences
- If the employee does not appear to be taking necessary steps to aid their recovery/improve their attendance
- If the prognosis for recovery/return to work is uncertain or is an extended period
- If adjustments have been made but have been unsuccessful
- If adjustments have been recommended but the Council has any doubt that they can be implemented, or concern that recommended adjustments may be unreasonable
- If there is a possibility the employee may be unfit to return to work within a reasonable timescale

Formal stage

Purpose

The purpose of the formal stage of this process is to review the employee's absence/attendance record and any medical advice received, to consider whether reasonable adjustments are available and have been implemented, to consider whether further medical advice is required, and to determine whether there are any steps the Council can take to assist the employee to improve their attendance or return to work.

Ultimately, the formal stage will also determine whether:

- in the case of short term absence, there should be any sanction applied for failure to achieve acceptable attendance/performance at work as a result of ill health or frequent sickness absence; or
- in the case of long term absence, whether the employee will be fit to return to their job within what the Council considers to be a reasonable timescale and if not, what action should be taken

The Council will determine if and when it is appropriate to proceed to the formal stage of this procedure.

This procedure is solely for the purpose of managing attendance, absence and performance issues due to sickness/ill health. In the event that it is known or suspected that absence or poor performance is not due to health/sickness the Council's disciplinary procedure will apply.

Procedure

The formal stage will consist of a meeting between the manager, the employee and the Town Clerk. The Town Clerk will chair and will be the decision maker. The employee is entitled to be accompanied at the meeting by a trade union representative or a work colleague, if they wish. In the event that the Town Clerk is the manager who has carried out the meetings under the informal stage, the meeting will be convened with two members of the Personnel Sub-Committee, who will be the decision makers and one of whom will chair the meeting. The Council may choose to include an external HR specialist to advisor to assist the decision maker(s) in any formal meeting under this procedure. Formal meetings may be held in person or online, as appropriate.

Notification of the meeting

The employee's line manager will invite them in writing to a formal meeting, setting out:

- the date, time and venue for the meeting, giving a minimum of five working days notice
- the employee's right to be accompanied at the meeting by a trade union representative or work colleague
- a brief summary of the issues to be discussed at the meeting
- confirmation that the purpose of the meeting is to review the employee's unsatisfactory attendance/performance, or longer term fitness for work
- a request for the employee to inform them of any adjustments to the process which may be necessary due to a disability or neurodiversity
- the possible outcomes of the meeting, up to and including termination of employment if relevant

In advance of the formal meeting, the manager should provide the decision maker(s) with:

- the employee's absence record;
- notes of any meetings held under the informal stage of this procedure;
- any medical evidence/advice received, such as occupational health reports;
- details of any adjustments considered and/or implemented in respect of a disability; and
- a copy of the letter sent to the employee inviting them to the formal meeting

If the employee or their representative is unable to attend the meeting on the original date set, the meeting may be rearranged once. If the employee or their representative are unable to attend the rearranged meeting, the employee may choose instead to submit a written statement setting out their views and any points they wish the decision maker(s) to take into account. The meeting will normally be held in person, but the employee may request an online meeting if the circumstances of their absence dictate this to be the best course of action.

The conduct of the formal meeting

At the meeting, the Chair will:

- explain to the employee that the purpose of the meeting is to discuss the employee's unsatisfactory attendance/performance, or their fitness to return to work within a reasonable timescale;
- confirm the possible outcomes of the meeting;
- allow the employee to share their views;
- try to establish any underlying reasons for the employee's poor performance or attendance level, for example a health issue or personal problems;
- gather as much information as possible on any underlying reasons identified, without putting undue pressure on the employee to reveal more information than they want;
- discuss and agree any steps that can be put in place to help the employee to improve their performance/attendance;
- consider the reasonableness of any suggested adjustments, and whether/how these may be put into place;
- if there is an underlying health problem, refer the employee to occupational health/encourage the employee to book an appointment with their doctor, if this has not already been done;
- remind the employee of the support that is available to them

If additional information is required (for instance Occupational Health advice), the meeting may be adjourned and reconvened to conclude once the additional information is received.

The employee will be informed of the timescale in which a decision will be made, which will in any case be no greater than five working days after the meeting, and how that decision will initially be communicated to them. Even if communicated verbally initially, the decision will always be confirmed in writing, setting out the decision, the reasons for it, any actions necessary or review period agreed, and informing the employee of their right of appeal if appropriate.

If appropriate, more than one formal meeting may be held under this procedure. For example, if the decision is that a formal review period and performance/attendance targets should be set, a second formal meeting would be required to determine whether targets have been met or whether further formal action is necessary. Additionally, if Occupational Health or other medical reports indicate that recovery and therefore a return to work may be expected within a reasonable timescale, it may be appropriate to determine that a further formal meeting should be held in line with the prognosis.

Note that all outcomes listed below are potentially available at all formal meetings. This is not an escalating process, the decision maker may consider dismissal after only one formal meeting where circumstances and previous interventions/medical reviews/actions taken under the informal stage of this procedure indicate that there may be no possibility of the employee improving their attendance or returning to work within a reasonable timescale. Employees will be informed in writing in advance of the meeting if dismissal is a possible outcome.

Possible outcomes of a formal absence management meeting

Any of the following outcomes are possible at any formal meeting. They do not form an escalation, and in cases of seriously poor attendance, or serious medical incapability meaning that the employee has no prospect of a return to work within a reasonable timescale, employment may be terminated at the first formal meeting.

An employee may not be dismissed at any formal meeting, unless they have been informed in advance that termination of employment is one of the possible outcomes of that meeting.

No further action

In some circumstances, for example if there are extenuating reasons for the absences, or a long term health condition has progressed to the point that a return to work may now be planned, the decision maker may decide that there is no further action required.

The employee will be informed of this in writing, and an explanation for the decision given.

Formal review period

The decision maker decides that the employee should move into a formal review period. The employee will be informed of this in writing. The outcome letter will set out the targets/improvement required, any support offered or adjustments made or to be made by the Council, and the period of time within which this improvement is to be measured.

The letter should warn the employee that, while in a formal review period, the consequences of additional absence or failure to return to work within that period could result in a warning or termination of employment after a further meeting. For the purposes of this procedure, a review meeting at the end of a formal review period is treated as a reconvening of the original formal meeting. The decision makers will therefore remain the same and there is no right of appeal against a decision to impose a formal review period.

At the end of the review meeting, the decision maker will determine the correct course of action, which may be:

- no further action
- a further formal review period
- warning
- termination of employment (if relevant)

Warning

The employee may be given a formal warning in respect of poor attendance or failure to return to work within a reasonable timescale. The warning will remain in place for a minimum of six months, and any further instances of absence/continuation of absence within that period will normally result in a second formal meeting being convened with the same decision makers, to determine whether further action is necessary. This may include termination of employment on grounds of capability.

The employee will have the right of appeal if issued a warning.

Termination of employment

Persistent short term absences:

If the employee continues to have frequent short term absences from work during either a formal review period or when a warning has been issued, and medical advice either indicates that these absences have no underlying health cause and are not related to a disability, the decision maker may consider whether it is necessary to terminate employment on grounds of capability. This may also be the case where the employee has a disability, but reasonable adjustments have been implemented and have not been effective in assisting the employee to achieve acceptable attendance levels.

Long term sickness absence:

Where medical advice indicates that an employee is likely to remain unfit to return to work within what the Council considers to be a reasonable time period, the Council will consider whether it is appropriate to terminate employment on grounds of medical capability. Termination of employment will not be considered until:

- external medical advice has been received
- the possibility of a phased return to work has been explored
- any reasonable adjustments have been implemented but have proved ineffective

The Council will also consider whether the employee meets the criteria for ill health retirement under the Local Government Pension Scheme before making a decision to dismiss on grounds of capability.

As an alternative to termination of employment, the Council may offer, or the employee may request, a variation to their contract of employment to enable improved attendance or an earlier return to work. Such a variation may be agreed on a permanent or temporary basis, with reviews as necessary and may be subject to a trial period in the case of a permanent variation. A variation to contract in these circumstances may include:

- changes to work pattern or working hours
- removal of duties and consequent regrading/reassessment of salary
- a transfer/redeployment to a different role which medical advice indicates the employee is more likely to be capable of performing

In the case of temporary variation/redeployment, the employee will be paid for the hours worked and job done, even if this pay is lower than their substantive salary. There will be no entitlement to pay protection during this period, although the employee will have the right to return to their substantive post, hours and salary at the end of the temporary variation. Note that a temporary variation to contract is not the same as a planned and agreed phased return to work period during which the employee will gradually build up hours and duties to return to their substantive post.

In the case of permanent variation, the employee will be offered a trial period during which they will be paid the full salary for their substantive post and contracted working hours. If the trial period is successful, the employee will accept the permanent variation to their contract, and from that point forward will be paid only for the hours worked and job done. There will be no entitlement to pay protection. If the trial period is unsuccessful, and there is no redeployment available, notice will be given to terminate employment on grounds of capability.

The employee will have a right of appeal against a decision to terminate employment or to offer a variation of contract as an alternative to dismissal. The employee will be informed of their right of appeal in the outcome letter.

Appeal

An employee who is given a warning, dismissed or offered a variation to contract as an alternative to dismissal under this procedure has the right of appeal. The appeal should be sent in writing to the Town Clerk and should set out the grounds on which the employee believes that the decision was flawed or unfair.

The employee should lodge their appeal within five days of receiving written confirmation of the sanction imposed on them by the Council.

An appeal hearing will be convened no sooner than working 10 days, and within a reasonable period, after the appeal is lodged. The appeal hearing will be chaired by a Councillor with no prior involvement in the case selected from a Panel of Councillors convened specifically to hear the appeal, and accompanied by either the Deputy Town Clerk or a second Councillor with no previous involvement in the case. Someone should be present to take notes of the meeting, and the Council may wish to appoint an external HR specialist to provide the panel with advice.

The employee will be entitled to be accompanied at the appeal hearing by a fellow employee or a trade union official.

At the hearing, the decision to impose the sanction will be reviewed and the employee will be entitled to make representations about the appropriateness of that decision.

The outcome of the appeal will be confirmed to the employee in writing within five working days, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

FAMILY FRIENDLY PROVISIONS

MATERNITY LEAVE

You are encouraged to tell your line manager as soon as you know that you are pregnant, so that the Council can take appropriate steps to manage your health and safety during your pregnancy. However, you do have the right to wait until the 15th week before the expected week of childbirth to inform the Council if you wish. You are required to confirm in writing that you are pregnant, attaching a copy of your MAT B1 and indicating when you expect to start your maternity leave. You are able to change the start date of your maternity leave, providing at least 28 days' notice in writing.

The MAT B1 is a form signed by a doctor or midwife confirming your expected week of childbirth (EWC). Hospitals and GP's surgeries have different policies regarding when the MAT B1 should be signed and who should sign it. The MAT B1 is not always issued automatically and you may have to ask your doctor or midwife for a copy.

You are entitled to take 52 weeks' maternity leave, made up of 26 weeks ordinary maternity leave (OML) and 26 weeks additional maternity leave (AML). You can choose how much maternity leave you take, but there is a compulsory two-week period of maternity leave immediately following the birth of your baby.

You can choose to start your maternity leave at any time from the 11th week before the expected week of your child's birth, up until the day of the birth. If you are absent from work within four weeks of the EWC for pregnancy-related illness, your maternity leave will start early.

The Council offer Maternity Leave provision as set out in the NJC for Local Government Services Terms and Conditions (Green Book) that is more generous than the government's statutory maternity pay (SMP). Pay under the occupational scheme depends on your length of service and on whether you intend to return to work at the end of your maternity leave period. If you do not qualify for Occupational Maternity Pay but

meet minimum earnings requirements, you may be eligible for Statutory Maternity Pay or Maternity Allowance.

If you have any concerns about your health and safety or that of your unborn child at work, you should raise them immediately with your line manager, who will arrange a risk assessment.

During your maternity leave you are expected to maintain contact with your line manager, and there is provision for you to attend work with full pay for up to 10 'Keeping in Touch' (KIT) days (for example to attend training, or to complete key projects) without losing your entitlements to maternity leave and pay.

Full details of the Council's Maternity Leave and Pay entitlements are set out in the Green Book. A copy is available on request from the Town Clerk.

Should you wish to return to work at a later date than originally agreed, you are required to provide notice in writing, at least 8 weeks' before your original return date.

If you decide not to return from maternity leave, you should confirm this in writing to your line manager, providing the notice required under your contract of employment. If you have received Occupational Maternity Pay, you may be liable to repay some of the monies received if you do not return to work.

At the end of your maternity leave, you are entitled to return to the job you left, on the same terms and conditions of employment. This includes working hours. If you wish to vary your working hours or work pattern on your return to work, you should make a Formal Flexible Working Request, ideally well before your return to work date. The Council will consider such requests sympathetically, but for business reasons it may not always be possible to agree to significant changes.

Should a situation arise during your pregnancy or maternity leave which would mean that your job is at risk of redundancy, you will be given priority for redeployment to a suitable alternative role. This protection will also apply for six months after your return from maternity leave.

For further information on eligibility to statutory maternity leave and pay, please visit <https://www.gov.uk/maternity-pay-leave>

For information regarding your rights whilst on maternity leave, please visit <https://www.gov.uk/employee-rights-when-on-leave>

MATERNITY/ADOPTION SUPPORT LEAVE

Maternity/Adoption Support Leave of 5 days pay at the time of the birth/placement is granted to the partner or nominated carer of the mother/primary adopter at or around the time of the birth/adoption placement. A nominated carer is the person nominated by the mother/primary adopter to assist in the care of the child and to provide support to the mother/primary adopter at or around the time of the birth/placement. There is no minimum service period for eligibility to claim Maternity/Adoption Support Leave.

PATERNITY LEAVE

You may be eligible to take up to two weeks paid paternity leave following the birth or adoption of a child if you have at least 26 weeks service by the end of the 15th week before the expected week of childbirth or notification of placement for adoption.

You can take paternity leave if:

- you are the biological father of the child and expect to have responsibility for the child's upbringing
- you are the spouse, civil partner or partner of the child's mother and expect to have responsibility for the child's upbringing
- you are the spouse, civil partner or partner of the child's adopter and expect to have responsibility for the child's upbringing

Leave must be taken within 52 weeks of the birth and can be taken as one two-week or two one-week blocks.

You must give notice of your intention to take paternity leave at least 15 weeks before the expected week of childbirth or placement for adoption and must confirm that you meet the requirements to take paternity leave. You must then give a minimum of 28 days notice in writing of the date(s) on which you want the leave to start. You may state that you wish the leave to start within a time period relative to the birth or adoption (e.g. from the date of birth or adoption, or a set number of days weeks after the birth/adoption), or from a predetermined calendar date.

If you meet the earnings and eligibility requirements to receive Statutory Paternity Pay (SPP), paternity leave will be paid at the statutory rate or a maximum of 90% of your average weekly earnings, whichever is the lower. The Council also provides five days paid Maternity Support Leave (see above) if taken at or around the time of the birth. There is no qualifying service entitlement for this leave. Employees choosing to take their first week of Paternity Leave close to the birth or adoption may prefer to take Maternity/Adoption Support Leave instead.

For more information on entitlement to statutory paternity leave and pay, please visit <https://www.gov.uk/paternity-pay-leave>

ADOPTION LEAVE

Staff who are adopting a child or have entered into a surrogacy arrangement are entitled to adoption leave. The entitlements are, broadly speaking, the same as for maternity leave and pay. Note that where a couple are jointly adopting a child, only one person may take adoption leave. The second adopter may be entitled to the equivalent of Maternity/Adoption Support Leave and/or statutory Paternity Leave, as set out above. Adopters may also choose to transfer between themselves leave and pay entitlements under the Council's Adoption, Maternity/Adoption Support and Paternity Leave Schemes to Shared Parental Leave.

You are encouraged to tell your line manager as soon as you know that you have been accepted for an adoption/surrogacy placement and the anticipated placement/due date.

Please provide evidence of the adoption placement from the relevant local authority or adoption/surrogacy agency at least 4 weeks prior to the date you expect to commence adoption leave.

You are entitled to take 52 weeks of adoption leave comprised of:

- 26 weeks of Ordinary Adoption Leave
- 26 weeks of Additional Adoption Leave

Only 1 person in a couple can take adoption leave. The other partner could get [paternity leave](#) instead. If you get adoption leave, you can also get paid time off work to attend 5 adoption appointments after you've been matched with a child.

- You can choose to start your adoption leave up to 14 days before the date the child starts living with you (UK adoptions)
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (if you've used a surrogate to have a child)

The Council offer Adoption Leave on the same terms as Maternity Leave as set out in the NJC for Local Government Services Terms and Conditions (Green Book) that is more generous than the government's statutory maternity pay (SMP). Pay under the occupational scheme depends on your length of service and on whether you intend to return to work at the end of your adoption leave period. If you do not qualify for Occupational Adoption Pay but meet minimum earnings requirements, you may be eligible for Statutory Adoption Pay or Adoption Allowance.

During your adoption leave you are expected to maintain contact with your line manager, and there is provision for you to attend work with full pay for up to 10 'Keeping in Touch' (KIT) days (for example to attend training, or to complete key projects) without losing your entitlements to adoption leave and pay.

Full details of the Council's Adoption Leave and Pay entitlements are set out in the Green Book. A copy is available on request from the Town Clerk.

Should you wish to return to work at a later date than originally agreed, you are required to provide notice in writing, at least 8 weeks' before your original return date.

If you decide not to return from adoption leave, you should confirm this in writing to your line manager, providing the notice required under your contract of employment. If you have received Occupational Adoption Pay, you may be liable to repay some of the monies received if you do not return to work.

At the end of your adoption leave, you are entitled to return to the job you left, on the same terms and conditions of employment. This includes working hours. If you wish to vary your working hours or work pattern on your return to work, you should make a Formal Flexible Working Request, ideally well before your return to work date. The Council will consider such requests sympathetically, but for business reasons it may not always be possible to agree to significant changes.

Should a situation arise during your adoption leave which would mean that your job is at risk of redundancy, you will be given priority for redeployment to a suitable alternative role. This protection will also apply for six months after your return from adoption leave.

For further information, please visit <https://www.gov.uk/adoption-pay-leave>

Guidance on adoption leave notice period and earliest start date, based on match and placement dates of a child can be found here <https://www.gov.uk/plan-adoption-leave>

If you have any queries around adoption leave and pay, you should speak in the first instance to your line manager.

SHARED PARENTAL LEAVE

Shared Parental Leave allows the option for parents of a child to share up to 50 weeks of statutory leave and 37 weeks of statutory pay within the first year after the child is born or placed for adoption, allowing flexibility over childcare during that period of time. Leave can be taken in one-week blocks, with both parents off together or separately.

To qualify for statutory Shared Parental Pay (ShPP) you must meet service and earnings requirements, in addition to having parental responsibility for the child from the date of birth or placement for adoption.

For detailed information about entitlements to statutory Shared Parental Leave and pay, please visit <https://www.gov.uk/shared-parental-leave-and-pay>

If you wish to apply to take Shared Parental Leave, please discuss this at the earliest opportunity with your line manager or the Town Clerk who will then confirm notice requirements and the application process to you.

Entitlements to pay during periods of family leave are more generous under the occupational maternity and adoption pay schemes, and the Maternity/Adoption Support Leave scheme. Eligible employees may wish to exhaust their entitlements under those schemes before considering transferring to Shared Parental Leave. Once Maternity, Adoption or Maternity/Adoption Support Leave has ceased or is given up in order to commence Shared Parental Leave the entitlement to pay under those schemes also ceases.

Any queries around shared parental leave and pay should be referred, in the first instance, to your line manager.

PARENTAL LEAVE To qualify for parental leave, you must:

- Have parental responsibility for a child under the age of 18
- Have at least one year's continuous service with the Council by the time you want to take the leave
- Use the parental leave to look after the child

If you are eligible for parental leave you will be entitled to receive up to 18 weeks' unpaid leave for each child.

The amount of parental leave you are entitled to is taken with you if you move jobs. For example, if you are eligible for a total of 18 weeks ordinary parental leave and have already taken 5 weeks ordinary parental leave with a previous employer, you will need to work for the Council for a year before qualifying for the remaining 13 weeks.

You will be able to take leave in blocks of one week, subject to a maximum of four weeks at any one time and in any one year per child. If your child is disabled, you will be able to take the leave in single days rather than blocks of weeks if you wish.

If you work part-time you will be able to take leave in proportion to the time worked.

If you would like to take a period of parental leave, you will need to advise your manager in writing at least 21 days before you wish to take the leave.

In some circumstances, your line manager will not be able to grant your request for leave, for example where your absence would substantially affect service delivery. If this is the case, your line manager will write to you within 7 days of your request, explaining why and postponing your leave for not more than six months, starting from the date on which you originally wished your leave to begin.

Your leave will not be postponed if you are taking parental leave immediately after the birth or adoption of a child.

You can request to take parental leave at the end of a period of maternity, adoption, paternity or shared parental leave.

If you do not qualify for parental leave but need to take time off to care for your child or children, please speak to your manager. Your manager will explore whether other options are available to you.

OTHER LEAVE

Time off for Dependents (Emergency Leave)

All employees (irrespective of length of service and whether they are part time or full time) are entitled to take a reasonable amount of time off during working hours to take necessary action to respond to an emergency involving a dependant:

- to provide assistance when a dependant falls ill, gives birth or is injured or assaulted;
- to make arrangements for the provision of care for an ill or injured dependant;
- in consequence of the sudden death of a dependant;
- because of the unexpected disruption or termination of arrangements for the care of a dependant;
- and

- to deal with an incident that involves their child and occurs unexpectedly while the child is at school / other educational establishment.

A dependant is:

- a spouse
- a civil partner;
- a child;
- a parent;
- a person who lives with the employee other than as their employee, tenant, lodger or boarder;
- any other person who would reasonably rely on the employee for assistance if they fell ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- in relation to the disruption or termination of care for a dependant, any other person who reasonably relies on the employee to make arrangements for the provision of care.

The purpose of emergency leave is to arrange alternative care for a dependent, not to provide that care personally. For example, if a child is sick and unable to attend school, the time is intended to source alternative care, not to remain at home with the child.

An employee who needs to take time off to deal with an emergency relating to a dependant should contact their line manager at the earliest opportunity. If you become aware of an emergency situation while at work, you should immediately speak to your line manager about leaving work early. You should explain the reason for the absence and how long you expect to be absent from work.

If your line manager is unavailable, you must speak to the Town Clerk or Deputy Town Clerk.

If you are unable to contact a manager before taking emergency time off, you should make contact as soon as possible. You must inform your line manager as soon as possible of any change in the anticipated date of your return to work.

Time off for dependents will normally be unpaid. It may be possible to arrange with your manager to make the time up. In some circumstances, and at its discretion, the Council may consider granting paid time off, although there is no statutory entitlement to receive pay while taking time off for dependants.

The right to time off for dependants will, in most cases, be a matter of hours but may in exceptional circumstances extend to one or two days. You must actively seek alternative longer-term arrangements for the care of a dependant once the emergency occurs. Once the immediate emergency has been dealt with, you are expected to return to work, or discuss taking another form of leave such as annual leave or carers leave.

Carers Leave

Employees who provide care for a dependent with a long-term care need are entitled to take up to one week's unpaid Carer's Leave in any 12-month period, either as a one-week block or in blocks of a minimum of half a day to provide or arrange care for the dependent.

A dependent is defined as:

- spouse, civil partner, child or parent
- anyone who lives with the employee who is not a lodger, employee of them, or tenant
- someone who reasonably relies on the employee to provide care.

A long-term care need is defined as:

- Illness or injury (physical or mental) requiring or likely to require care for more than three months OR
- The person has a disability as defined by the Equality Act 2010 OR
- For a reason connected with old age

You may only take a maximum of one week's leave in any 12 month period, regardless of the number of dependents you are caring for.

To request Carer's Leave, you must give notice which must be the earlier date of either:

- Twice as many days as the amount of leave requested before the first date requested OR
- Three days before you want the leave to start

You must make your request in writing to your line manager, setting out when you want to take the leave, the fact of your entitlement to Carer's Leave and confirmation that you have not exhausted your entitlement in the current year.

In some circumstances, your line manager will not be able to grant your request for leave, for example where your absence would substantially affect service delivery. If this is the case, your line manager will discuss the situation with you and agree alternative dates for your leave, within one month of the date on which you originally requested your leave to start. Your manager will set out in writing the reasons for the postponement and the agreed new dates for your Carer's Leave.

Parental Bereavement Leave

Introduction

The Council understands that, while dealing with any bereavement is difficult, the death of a child is among the most devastating events that an employee can ever face. We are committed to supporting bereaved parents.

Employees whose child dies under the age of 18, including parents who suffer a stillbirth after 24 weeks of pregnancy have a statutory right to take up to two weeks of parental bereavement leave, with statutory parental bereavement leave pay if eligible. As the Council also provides five days of paid Compassionate Leave, in most cases you may wish to take the first week of Parental Bereavement Leave as Compassionate Leave.

Bereaved parents may also seek further support and assistance through our Employee Assistance Provider (EAP). Contact details are available from your manager or the Town Clerk.

Who can take parental bereavement leave

You are entitled to Parental Bereavement Leave if you are the parent of the child who has passed away, or the partner of the child's parent. You can take this type of leave if you had or expected to have parental responsibility for the child. This includes adoptive parents and surrogacy arrangements. You do not need to have worked for the Council for a minimum period of time to be able to take this leave.

What leave a bereaved parent can take

You can take two weeks of parental bereavement leave. You can take the leave as:

- a single block of two weeks; or
- two separate blocks of one week at different times.

You cannot take the leave as individual days.

You can take the leave at the time(s) you choose within the 56 weeks after your bereavement. You might choose, for example, to take the leave shortly after the death, or at a particularly difficult time such as your child's birthday.

If you have experienced the death of more than one child, you have a separate entitlement to bereavement leave for each child who has died.

Notice to take parental bereavement leave

If you need to take parental bereavement leave within the first 56 days after your child's death, you do not need to provide any notice. Please let your line manager know no later than the time you are due to start work on the first day on which you wish to take leave or, if that is not feasible, as soon as you can.

To take leave more than 56 days after your bereavement, please give your line manager at least one week's notice in writing of the dates of your leave.

Changing your mind about taking parental bereavement leave

You can cancel your planned leave and take it at a different time within the 56 weeks after your bereavement. Where your planned leave was due to begin during the first 56 days after your bereavement, please let your line manager know you no longer wish to take the leave before your normal start time on the first day of the planned leave.

Where your leave was due to begin more than 56 days after your bereavement, please let your line manager know at least one week in advance that you wish to cancel it.

You cannot cancel any week of parental bereavement leave that has already begun.

Pay during parental bereavement leave

The Council will provide you with full pay for the first five days of your Parental Bereavement Leave in accordance with our Compassionate Leave scheme, unless you tell us that you do not wish to take advantage of the Compassionate Leave scheme at this time.

During the second week of your Parental Bereavement Leave (or for both weeks if you ask not to be paid Compassionate Leave) you will be entitled to receive statutory parental bereavement pay if you meet the eligibility criteria set out below. Statutory parental bereavement pay is the lower of the weekly rate set by the Government or 90% of your average weekly earnings. Information on the statutory entitlement can be found here: <https://www.gov.uk/parental-bereavement-pay-leave>

To receive statutory parental bereavement pay, you must have:

- at least 26 weeks' continuous employment by the week before the one in which your child died (and still be employed by us on the date of the bereavement); and

- normal weekly earnings in the eight weeks up to the week before your bereavement of at least the lower earnings limit for national insurance contribution purposes.

If you are not eligible for statutory parental bereavement pay, any period of leave which is not covered under the Council's Compassionate Leave scheme will be unpaid.

We may need to ask you to give us written notice of the weeks for which you wish to claim statutory parental bereavement pay. Your line manager will inform you if this is the case.

Rights during parental bereavement leave

Other than changes to pay, all other terms and conditions of employment continue during parental bereavement leave.

Compassionate Leave

The purpose of compassionate leave is to help employees to come to terms with the death of a loved one, a serious illness or injury involving a loved one, or serious personal relationship problems.

Paid compassionate leave will normally be granted in the following circumstances:

- The death of a close family member i.e. spouse, civil partner, child, sibling, parent (or equivalent in-laws) or grandparent
- The diagnosis of, or the final stages of care for, a serious (life threatening) or terminal illness affecting a close family relative (as defined above)
- The employee falling victim to a serious crime
- Road traffic collisions or other distressing accidents/incidents involving the employee or a close family member

Each case will be viewed sympathetically and the amount of leave granted will depend on the individual's circumstances. You may be granted up to 5 days' paid leave in any rolling 12 month period. The amount of leave paid will be dependent on the circumstances. When deciding how much paid compassionate leave to grant, the Council will take into account factors such as the need to travel and distance involved, closeness of the relationship, requirement to arranging of attending a funeral, or the need to administer an estate. Where a situation requires an extended period of leave beyond 5 working days, other options should be discussed including use of TOIL, annual leave and/or a period of unpaid leave.

Requests for compassionate leave for situations not included above will be considered on an individual basis.

Jury Service

In the event of being called up for jury service, you should contact your line manager/the Town Clerk at the earliest opportunity to discuss the matter. Jury service normally lasts for up to 10 working days but may be longer. You should provide your line manager/the Town Clerk with a copy of the court summons and any other relevant documentation.

Where the Council considers that your absence on jury service could cause substantial disruption to Council business or service delivery, you will be asked to make an application for excusal or deferral, as appropriate. Where the Council considers that this applies, you should not submit an application for excusal or deferral before the Council has provided you with a letter (and any other relevant evidence) to support the application.

You will not lose any pay as a result of carrying out jury service however, you are entitled to make a claim for loss of earnings, so this should be claimed and the Council will pay the remainder of your normal pay.

The Court will normally ask whether you can return to work for any day or part thereof that you are not required at Court. You should discuss this with your manager, and where the nature of your job permits, the Council would normally expect you to return to work, even for a part day. If your jury service ends before the expected 10-day period (or such longer period as the court may have indicated to you that they will be required for) you will be expected to return to work for the remainder of that period.

WORKING TIME AND FLEXIBLE WORKING

In recent years there has been a growing demand for flexible working as well as a move to working from home, where possible, both from individuals who want to achieve a better balance between their work and home life and from employers wanting to align their business needs with the way their employees work and customers/clients' needs.

Working Hours

The Council's normal working hours are 37 hours a week for full-time staff. The Council offices are open to the public from 9.30am to 4.30pm on Monday to Friday. It is expected that office-based staff will normally be at work during these hours. There may also be a requirement to cover evening meetings or occasional civic functions at weekends. Contractual weekly working hours for part-time staff will be as specified in your contract.

Office based staff eligible for the flexi-time scheme may work their contracted hours between the hours of 7am and 7pm subject to the maintenance of sufficient office cover and the prior agreement of their line manager to their usual work pattern. Staff who are normally required to work outside of these hours or in a more fixed pattern to meet customer needs will have their specific work pattern or arrangements set out in their contract.

The Council operates a flexi-time system of hours for most staff. Where this applies it is detailed in your contract of employment. Due to the shift-based customer-facing nature of some posts, flexi-time is not available in certain roles.

Flexi-time Scheme

The Council Office should be open to the public 9.30 am to 4.30pm Monday to Friday subject to exigencies

Employees are expected to work their contracted weekly hours (CWH) as specified in their contract of employment, any variations must be sanctioned by the employee's line manager.

Contracted hours may be worked between the hours of 7am and 7pm subject to the maintenance of sufficient office cover.

Employees may only work more or less than their CWH or outside of their contracted hours when approved by their line manager.

Excess hours worked without the sanction of the employee's line manager cannot be claimed.

The general work pattern of the employee will be agreed with their line manager at the commencement of their employment.

Employees may carry a credit of 5 working days or debit of 2 working days as flex over from one calendar month to another. Any credit hours in excess will be lost and any debit hours will be deducted from the employee's salary. In exceptional circumstances a line manager may permit the carryover of additional hours.

It will be expected that employees manage evening meetings and occasional weekend working by either adjusting their working week or accruing time off in lieu. However, where this is impracticable, with the prior written agreement of their manager, such hours will be paid at the rate specified in the contract of employment.

If an employee works on a part-time or zero-hours basis, overtime provisions will **not** apply until the employee has worked in excess of a full-time working week i.e. 37 hours.

Timesheet Management

Employees are responsible for completing their timesheets daily.

Timesheets will record the start and finish times as well as the total break time taken.

Timesheets will be submitted to their line manager monthly.

Flexi Time Policy Revision

The implementation of the flexi-time policy is monitored by the Town Clerk and Personnel Sub-Committee.

Any variation to the policy will be subject to one months' notice to all employees.

The Right to Request Flexible Working

You have a statutory right to request a change to your contractual terms and conditions of employment to work flexibly.

The Council's policy is to comply with both the spirit and the letter of the law on the right to request flexible working. To this end its aim is to inform all staff of their right to request flexible working and to ensure those rights are understood and that employees feel confident any decisions regarding their requests will be handled objectively, fairly, free from discrimination and that employees will not be treated detrimentally because they have asked for flexible working arrangements.

Making the Request

To apply for flexible working, please complete a flexible working application form at **Appendix B** and submit this to your manager.

You can make up to 2 statutory requests in any 12-month period.

Responding to your Request

Once we receive your written request, we will arrange a discussion with you as soon as possible, unless we agree immediately to your request. It may be that we need to ask you to supply further details before the meeting. If there is likely to be a delay in discussing your request, we will inform you.

You may be accompanied at the meeting by a work colleague or a Trade Union representative.

Your request will be fully discussed at the meeting. The Council will carefully consider your request looking at the benefits of the requested changes on working conditions for you as an employee and the organisation and weighing these against any adverse business impact of implementing the changes.

Having considered the changes you are requesting and weighing up the advantages, possible costs and potential logistical implications of granting the request, we will write to you with the decision. The decision will be either:

- To accept the request and establish a start date, with or without a trial period and review date. Where the request is granted, we will set out what changes will be made to your terms and conditions of employment,
- To propose an alternative, which may require further discussion,
- To confirm a compromise agreed at the discussion, or,
- To reject the request, setting out the clear business reasons, how these apply to the application and the appeal process.

Requests to work flexibly will be considered objectively, however we may not always be able to grant a request to work flexibly if it cannot be accommodated by the organisation. If we turn down your request, it will be because of one, or a combination of the following reasons and we will explain why.

- The burden of additional costs is unacceptable to the Council,
- Detrimental effect on ability to meet customer demand,
- Inability to re-organise work among existing staff,
- Inability to recruit additional staff,
- Detrimental impact on quality,
- Detrimental impact on performance,
- Insufficiency of work during the periods the employee proposes to work and/or
- Planned structural changes to the organisation.

If your request is approved you have a statutory right to make one further request for a period of 12 months, although you may still ask beyond this without the statutory right. This would mean that the Council would not be obliged to consider your request, although at our discretion we may choose to allow a further request in exceptional circumstances.

Timeframe for dealing with requests

The Council will deal with requests in a timely manner although the law requires the consideration process to be complete within two months of first receiving a request, including any appeal. If the request cannot be dealt with within two months, the Council may ask to extend the consideration process, provided you agree to the extension.

Handling Requests in a Fair Way

We may receive more than one request to work flexibly closely together from different employees and it may or may not be possible to accept all requests. Each case will be considered on its merits looking at the business case in the order they have been received. We may ask you if there is any room for adjustment or compromise before coming to a decision.

Appealing Against the Decision

If we decline your request and you wish to appeal, you must do so, in writing, within 5 days of receiving the letter informing you of the outcome. We will then write to you to arrange a meeting to discuss your appeal. This meeting will be held as soon as reasonably possible and will normally be with the Town Clerk, or the Personnel Sub-Committee. You have the right to be accompanied at that meeting by a work colleague or Trade Union representative.

There may be circumstances when the Chair of the appeal meeting is unable to meet within the required timeframes, in which case a meeting will be held as soon as is practically possible.

The Effect on your Contract of Employment

Any change in your hours or pattern of work will normally be a permanent change to your contractual terms and conditions. This means that you will not automatically be able to revert back to the previous working pattern (unless otherwise agreed). So, for example, if your new flexible working pattern involves working reduced hours, you will not automatically be able to revert to working your previous hours.

Changes to your working pattern may affect other terms and conditions of employment. For example, reducing your hours of work will mean that your pay and leave will be pro-rated accordingly. Your pension may also be affected.

Any changes to your terms and conditions as a result of a change to your working pattern will be confirmed in your decision letter, however if you have further queries about how a proposed change to your pattern of work might affect your terms and conditions please speak to your manager.

Although an accepted request would normally mean a permanent change to your terms and conditions of employment, hours of work and/or work pattern, if you are only looking for an informal change for a short period to your working hours or conditions, for instance to pursue a short course of study, we may consider a temporary variation to your terms and conditions. This would allow you to revert back to your previous conditions after a specified period, e.g. three months, or after the occurrence of a specific event, such as the end of a course of study. If you are seeking a temporary variation only, you should set this out clearly in your application.

PAY AND EXPENSES POLICY

Chichester City Council actively promotes equal opportunities in employment and welcomes diversity within its workforce. The Council is committed to ensuring a clear and fair pay policy for its employees. This policy supports those principles in explaining how pay is calculated, reviewed and paid to employees.

Pay scales

To comply with the legislation, the Council will operate a transparent pay system based on objective criteria and publish pay details of employees in line with the requirements of the Local Government Transparency Code 2015.

All employees' pay scales will be determined by their grading, which will align to the National Association of Local Councils (NALC) published pay scales (**Appendix D**). Employees may be awarded an annual cost of living pay rise, in accordance with any award agreed by the NJC.

Employees will be appointed to either a defined salary scale point, or within a defined salary scale published for their role, following agreement by the Personnel Sub-Committee.

The starting salary on appointment will normally be at the lower end of the salary scale, subject to negotiation based on the appointee's level of relevant knowledge and experience.

One salary point will be added to an employee's salary, up to a maximum of four points, for success in obtaining or already holding any of the following relevant qualifications:

- The Certificate in Local Council Administration (CiLCA)
- The Certificate of Higher Education in Community Engagement and Governance – Level 1 or equivalent qualification previously awarded by the University of Gloucestershire
- The Diploma in Higher Education in Community Engagement and Governance or equivalent qualification previously awarded by the University of Gloucestershire
- BA (Hons) degree in Community Engagement and Governance or equivalent qualification currently awarded by the De Montfort University

Pay reviews

Each employee will receive an annual appraisal, which will include a review of their salary.

Subject to satisfactory performance, employees appointed within a scale will progress through the salary scale by annual increments until they reach the maximum salary in the range. Once an employee has reached the top of their salary scale, there will be no further incremental increases.

Increments will be applied on the 1st April each year. The Council may withhold an increment if it is considered that performance fell below the expected level following an annual appraisal, following discussion with the Personnel Sub-Committee.

Salary payments

Employees are paid in arrears and receive payment by bank transfer on the 24th of each month, or if the 24th is a weekend or bank holiday, the previous working day.

In December, pay day may be moved forward to an earlier date of the month, which will be advised to employees in advance.

Expenses

You will be reimbursed for reasonable and authorised expenses incurred during the course of your work. You must complete an approved expense claim form (**Appendix E**) promptly after incurring expenses (and no later than three months after the claim date) and submit to your line manager for approval.

The line manager is responsible for checking the claim complies with this policy and includes receipts (where applicable). Once satisfied, the line manager will sign the form, thereby authorising the payment to be made.

Payment will be made to you as per the following schedule:

- Mileage Claims via Payroll with your monthly salary
- Subsistence payments via Payroll with your monthly salary
- Petty Cash Items via BACS to your nominated bank account within 10 working days of the claim being authorised

Any employee unsure whether a claim is likely to be accepted is advised to speak to their line manager prior to incurring the expense.

Professional fees

The Council will reimburse the costs of professional membership fees (where relevant and agreed in advance with the line-manager).

Eye Sight Tests

The Council will pay a reasonable contribution towards the cost of an annual eye-test for employees who regularly use Display Screen Equipment (DSE).

If prescription glasses are required solely for DSE use, the Council will make a further contribution towards the cost of such glasses.

Please note that the Council will not reimburse the cost of glasses for general use, varifocals etc. even where they are used for work with Display Screens.

To claim, you must submit a valid receipt as an expenses claim.

Guiding Principles

- The Council follows the guidance of HMRC in setting travel related expense rates
- Mileage should only be claimed for distances in excess of normal travel to work. You cannot claim mileage for normal travel between home and work.
- The Council will not, under any circumstances, reimburse employees for penalty fines incurred due to speeding, unsafe driving or any other motoring offence, parking fines or fines for failing to purchase the correct ticket on public transport.
- Overnight accommodation and subsistence where required for attendance at a work- related event (where agreed in advance with the line manager) will be reimbursed on the basis of costs actually incurred. Costs of alcoholic drinks will not be reimbursed under any circumstances.

LONE WORKING

The Health and Safety Executive defines lone workers as *'those who work by themselves without close or direct supervision.'*

Chichester City Council recognises that, on occasion, its employees may be required to work by themselves for significant periods of time without close or direct supervision in the community, in isolated work areas and out of office hours.

Under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999, the Council has a duty of care to advise and assess risk for workers when they work by themselves in these circumstances. However, employees have responsibilities to take reasonable care of themselves and other people affected by their work and to co-operate with their employers in meeting their legal obligations.

This policy applies to all situations involving lone working arising in connection with the duties and activities of the Council.

The aim of this policy is to:

- Increase employee awareness of safety issues relating to lone working
- Ensure that the risk of lone working is assessed in a systematic and ongoing way and that safe systems and methods of work are put in place to reduce the risk so far as is reasonably practicable
- Ensure that appropriate training is available to all employees in all areas that equips them to recognise risk and provides practical advice on safety when working alone
- Ensure that appropriate support is available to employees who have to work alone
- Encourage full reporting and recording of all adverse incidents relating to lone working

Responsibilities

The Town Clerk, on behalf of the Council, is responsible for:

- Ensuring that there are arrangements for identifying, evaluating and managing risk associated with lone working
- Providing resources for putting the policy into practice
- Ensuring that there are arrangements for monitoring incidents linked to lone working and that the effectiveness of this policy is regularly reviewed

The Councillors and the Town Clerk are responsible for:

- Ensuring that all employees are aware of this policy
- Taking all possible steps to ensure that lone workers are at no greater risk than other employees
- Identifying situations where people work alone and decide whether a system can be adopted to avoid workers carrying out tasks on their own
- Ensuring that risk assessments are carried out and reviewed regularly
- Putting procedures and safe systems of work into practice which are designed to eliminate or reduce the risks associated with working alone
- Ensuring that employees identified as being at risk are given appropriate information, instruction and training
- Managing the effectiveness of preventative measures through an effective system of reporting, investigating and recording incidents
- Ensuring that appropriate support is given to employees involved in any incident

- Providing a mobile phone or other personal safety equipment, if and where this is felt to be desirable

Employees are responsible for:

- Taking reasonable care of themselves and others affected by their actions
- Following guidance and procedures designed for safe working
- Reporting all incidents that may affect the health and safety of themselves or others
- Taking part in training designed to meet the requirements of the policy
- Reporting any dangers or potential dangers they identify or any concerns they might have in respect of working alone
- Always maintaining good communication to minimise risk

Guidance for risk assessments of lone working

Risk assessment is essential to good risk management. Assessment will be carried out for and on behalf of all employees whose working practice makes them vulnerable. This includes employees that are site based but work in isolation as well as any mobile employee whose work takes them out into the community.

Recommendations will be made to eliminate or reduce the risk to the lowest level reasonably practicable. A lone worker checklist will be completed and used as a tool to identify if the control measures are adequate and if not, what modifications or additional actions can be considered necessary to help reduce the risks associated with lone working.

Risk assessments can be summarised in the following six steps:

- Identifying potential hazards;
- Evaluating the risk, the severity of a possible outcome and the likelihood of the hazard causing harm;
- Searching for preventative measures, deciding whether existing precautions are adequate;
- Advising you of the findings of the assessment;
- Creating local codes of practice and put them into effect; and
- Checking the measures work - reviewing and if necessary revising, especially if there has been significant change in working practices

Risk assessments for lone workers will include factors such as:

- Identifying whether the person is fit and suitable to work alone?
- Identifying how they can be contacted?
- Safe access and exit
- Risk of violence
- Safety of equipment for individual use
- Channels of communication in an emergency
- Physical site security e.g. barriers, building layout, etc.
- Security arrangements, i.e. alarm systems and response to personal alarms
- Level and adequacy of on/off site supervision
- Additional considerations for vulnerable employees
- Travelling between sites
- Reporting and recording arrangements
- Communication and traceability and personal safety/security

Incident reporting

An incident is defined as *‘an unplanned or uncontrolled event or sequence of events that has the potential to cause injury ill health or damage’*.

In order to maintain an appropriate record of incidents involving lone workers it is essential that all incidents be reported to the Town Clerk who will prioritise each incident and identify any immediate action required.

Employees should ensure that all incidents where they feel threatened or unsafe are reported, including incidents of verbal abuse.

Support for employees

Employees working for the Council should know that their safety comes first. Employees should be aware of how to deal with situations where they feel they are at risk or unsafe. They should also be able to recognise how their own actions could influence or even trigger an aggressive response. The Town Clerk will ensure that all lone workers’ training needs are assessed and that they receive appropriate training.

In the event of a violent incident involving a lone worker, the Town Clerk will immediately ensure that the employee receives any necessary medical treatment and/or advice. The Town Clerk will also consider whether the employee needs specific information or assistance relating to legal or insurance issues, ensuring appropriate recording of written and verbal reporting of any violent incident and reporting the incident to the police.

If the employee subjected to the violent incident is the Town Clerk, the next most senior employee should take responsibility for the above actions, including reporting the incident to the Chair of the Personnel Sub-Committee.

Good practice for lone workers

The following guidelines exist for the safety of lone working employees:

- During working hours, all employees leaving the workplace should leave written details of where they are going and their estimated time of return
- If, in the course of a trip away from the office, plans change significantly, this should be communicated back to the office
- Telephone contact between the lone worker and a colleague is advisable. Employees should avoid being left on their own with a client in their workplace, or leaving a colleague/Councillor in this situation
- Lone workers should have access to adequate first aid facilities and mobile workers should carry a first aid kit suitable for treating minor injuries
- Lone workers should be provided with a mobile phone and other personal safety equipment where this is necessary
- Employees should **never** transport a child or vulnerable adult on their own
- Before making a home visit, the lone worker must have full knowledge of the hazards and risks to which he or she may be exposed and apply control measures to eliminate the potential risks

MEDIA AND COMMUNICATIONS POLICY

Introduction

The purpose of the Media Policy is to provide guidance on engaging with the media and sets out roles and responsibilities for Councillors and officers.

The Council Services Support Team is responsible for coordinating the Council's communications activities which aim to:

- Share the Council's successes and any updates on key policies and services so that residents feel informed about the Council's work
- Ensure Chichester City Council is recognised as being open, transparent and accountable
- Handle requests for information in a timely way
- Manage risks to the Council's work and reputation via pro-active media management.

The Council's Services Support Team is available to provide support and advice to both Councillors and officers on communications issues and questions.

This policy reflects the guidance contained in the Code of Recommended Practice on Local Government Publicity and complements the Council's social media policy.

Inappropriate contact with the press by employees, including, but not limited to revealing confidential information or issuing statements that bring the Council into disrepute may be investigated under the Disciplinary procedure, therefore employees are advised that if in any doubt they should speak to the Council Services Support team before speaking to the press.

Approach to media relations

The Council recognises the important role the media plays in informing residents, businesses and visitors about its work and the decision-making process. The Council is committed to developing and maintaining a positive working relationship with all professional media organisations. Providing a consistent approach to media relations will help to enhance and protect the Council's reputation.

When media outlets request information, quotes or interviews, the Council Services Support Team should coordinate these requests.

Roles and responsibilities

The Town Clerk is responsible for signing off press releases and media statements.

One of the Mayor, Deputy Mayor or Committee Chairs are responsible for signing off their quotes in Council press releases and any statements issued.

Ward Councillors will be invited to any photo opportunities taking place in their ward, alongside the relevant Committee Chair and officer.

It is acknowledged that Councillors may sometimes be approached directly by the media about issues within their ward, in which case it should be made clear that they are providing their personal view rather than the corporate view of the Council. Ward Councillors should notify the Council Services Support Team if they are contacted by the media, so the team are able to monitor press contact and be aware of any developing issues.

Any Councillor can request media training and should advise the Town Clerk who will arrange a suitable programme of training.

Press releases

It is recognised that local press and radio stations, trawl social media for stories. In most cases, the easiest way to disseminate general news, is a good social media post. Although not all residents use social media, local media organisations form a bridge between social media and residents. Press releases help publicise more formal Council announcements and will reflect the Council's corporate view and values. Press releases should be used for more detailed items where there is value derived from providing a longer format to the media.

These releases will be drafted by the Council Services Support Team and issued to the media in a timely way. They will be shared with all Councillors at the point of release to the media and added to the Council website as soon as it is practical to do so.

Releases will include relevant facts and a quote from the appropriate Councillor. In certain circumstances, a quote from a Council officer will be used when the public would reasonably expect an operational viewpoint to be put forward.

Releases will not promote the views of political groups or publicise the activities of individual Councillors. They will not seek to persuade the public to hold a certain view unless part of an agreed marketing campaign. Additional restrictions will be in place to comply with legal requirements before an election, known as the "pre-election period". See below.

Where a release is not considered to be the best way to publicise a news item or event, the Council Services Support Team can advise on an alternative, such as a social media post.

Media enquiries and interviews

Media enquiries received about the Council's work will be coordinated by the Council Services Support Team, liaising with the Town Clerk, to ensure responses are prioritised and relevant spokespeople are sourced and briefed on any emerging interview bids. Officers and Councillors should assist the Council Services Support Team in gathering the relevant information for responses.

Committee Chairs will be quoted on relevant Committee decisions, or the Mayor for Council-wide issues.

Council officers who are directly approached by a media outlet should redirect the journalist to the Town Clerk at the earliest opportunity.

Quotes from "a spokesperson" will be avoided where possible, however, in some instances it may be beneficial. The use of this term is common during the pre-election period.

Where multiple enquiries about the same issue are covered by pre-agreed lines, the Council Services Support Team will not need to seek further clearance before issuing these to the media.

The Council Services Support Team will advise on journalists' deadlines and seek to meet these deadlines, wherever possible.

The Council Services Support Team will support interviewees in preparing for media interviews.

Officers put forward for interview should not provide a personal opinion on a matter. As the subject matter expert their role is to provide factual knowledge in support of the Council's approved policies.

In the event of an emergency requiring a county-wide response, the Council Services Support Team will liaise with West Sussex County Council and other key partners. In the event of an emergency, it is paramount that the Council Services Support Team manage the Council's interactions with the press to avoid any confusion and provide clear information to the public and partners.

Identifying newsworthy items

Ensuring the Council Services Support Team is made aware of any potential news items at the earliest opportunity is crucial to maintaining effective media relations. At least two weeks in advance wherever possible. This will help the Council Services Support Team to manage drafting any supporting communications including press releases, photo call notices, sourcing any quotes and images and planning any social media content to complement the story.

Correcting inaccurate reporting

Where the Council has been significantly misrepresented in media coverage, the Council Services Support Team will liaise with the media outlet to request a correction.

In the case of minor inaccuracies, the Council Services Support Team will consult with the Town Clerk as to whether any action should be taken.

If, on occasion, the Council gets something wrong, it will acknowledge any errors in a timely way and address how it will put things right.

Media activity ahead of Council meetings

Where possible, the Council Services Support Team should be made aware of any newsworthy items that are due to be considered at upcoming meetings.

Where appropriate, the Council Services Support Team will prepare news releases and / or statements to support decisions taken at key Council meetings.

Agendas for Council meetings will be published on the Council's website and made accessible to journalists in advance of any meetings.

Council meetings held in the Council Chamber will be open to journalists to attend and report on. Councillors, officers and members of the public who speak at a public meeting may be quoted during the course of the committee meeting. Any requests to interview officers or Councillors after the meeting should be referred to the Council Services Support Team to manage.

Publicity during elections

The rules on publicity change when an election has been called. From notice of election to the election itself, also known as the pre-election period, all proactive publicity that includes candidates or other politicians temporarily ceases.

Council-related publicity during this time should not deal with any controversial issues. Officers may be quoted in this instance. This is to ensure fairness and make sure no party, or individual candidate gains an unfair advantage by appearing in Council produced publicity, which extends to the use of social media.

Publicity events organised during the election period must not feature Councillors standing for election.

Community groups / partnerships

Where the Council is involved in a project involving a community group or partnership, any arrangements for proactive publicity must be agreed in advance by both parties, being mindful of the following guidance: Where the Council is the lead organisation, the Council Services Support Team will draft news releases and request a quote from the relevant external organisation and issue the final / approved news release to the media.

Where the community group or partnership is the lead organisation, the community group or partner organisation should lead on the communications activity and contact the Council's Council Services Support Team to request a relevant quote for inclusion in their news release.

A copy of the final / approved news release should be shared with relevant parties and issued by the community group or partner.

Where the Council does not have direct involvement in a community or partner project, the community group or partner organisation is responsible for managing its own communications activities. In some cases, these activities may be shared on the Council's social media channels at the discretion of the Communications Team.

Events

The Mayor will usually be quoted in releases covering Council events. In the Mayor's absence, the Deputy Mayor will be quoted. The Council Services Support Team will advise on whether an event requires a news release or social media post to help publicise the activity.

Photographs / videos

A photo / video consent form should be used when sourcing images and videos commissioned by the Council for publicity purposes.

Evaluation

The Council Services Support Team will monitor media coverage about the Council.

SOCIAL MEDIA POLICY

The aim of this policy is to set out a Code of Practice to provide guidance to City Councillors, Council staff and others who engage with the Council using online communications, collectively referred to as social media. The Council will ensure that training is provided for members and officers in connection with this policy.

Social media is a collective term used to describe methods of publishing on the internet.

This policy covers all forms of social media and social networking sites which include (but are not limited to):

- Chichester City Council's website
- Facebook, Twitter, Instagram and other social networking sites
- YouTube and other video clips and podcast sites
- LinkedIn
- What's App, Signal, SnapChat and other secure messaging apps
- Blogs and discussion forums

- Email

The use of social media does not replace existing forms of communication.

The principles of this policy apply to City Councillors and Council staff and also applies to others communicating with the City Council.

Members are strongly advised to use only the official Chichester City Council email address provided for City Council business and correspondence. Any account used for City Council business and correspondence will be subject to any request under the Freedom of Information Act 2000. Members are responsible for ensuring the security of devices, apps and packages used and all devices should be password protected.

The policy sits alongside relevant existing policies which need to be taken into consideration.

The current Code of Conduct applies to online activity in the same way it does to other written or verbal communication.

Individual City Councillors and Council staff are responsible for what they post in a Council and personal capacity.

In the main, Councillors and Council staff have the same legal duties online as anyone else, but failure to comply with the law may have more serious consequences.

Social media may be used to:

- Distribute agendas, post minutes and dates of meetings
- Advertise events and activities
- Promote good news stories with a linked website or press page
- Advertise job vacancies
- Retweet or share information from partner agencies such as Principal Authorities, Police, Library, Health etc.
- Announce new information
- Post or share information from other City Council related community groups such as schools, sports clubs, community groups and charities
- Refer resident queries to the clerk and all other Councillors
- Share any other information that is relevant to the community

Code of Practice

When using social media (including email) City Councillors and Council staff must be mindful of the information they post in both a personal and Council capacity and keep the tone of any comments respectful and informative.

Online content should be accurate, objective, balanced and informative.

City Councillors and Council staff must not:

- Hide their identity using false names or pseudonyms
- Present personal opinions as that of the City Council
- Present themselves in a way that might cause embarrassment to the Council

- Post content that is contrary to the democratic decisions of the City Council
- Post controversial or potentially inflammatory remarks
- Engage in personal attacks, online fights and hostile communications
- Use an individual's name unless given written permission to do so
- Publish photographs or videos of minors without parental permission
- Post any information that infringes copyright of others
- Post any information that may be deemed libel
- Post online activity that constitutes bullying or harassment
- Bring the City Council into disrepute, including through content posted in a personal capacity
- Post offensive language relating to race, sexuality, disability, gender, age, religion or belief
- Conduct any online activity that violates laws, regulations or that constitutes a criminal offence

Publishing untrue statements about a person which is damaging to their reputation is libel and can result in a court action and fine for damages.

This also applies if someone else publishes something libellous on your social media site. A successful libel claim will result in an award of damages against you.

Posting copyright images or text on social media sites is an offence. Breach of copyright will result in an award of damages against you.

Publishing personal data of individuals without permission is a breach of Data Protection legislation and an offence.

Publication of obscene material is a criminal offence and is subject to a custodial sentence.

Councillors' views posted in any capacity in advance of matters to be debated by the Council at a Council or committee meeting may constitute predisposition, predetermination or bias and may require the individual to declare an interest at Council meetings.

Anyone with concerns regarding content placed on social media sites that denigrate City Councillors, Council staff or residents should report them to the City Clerk.

Misuse of social media content that is contrary to this and other policies could result in action being taken.

The City Council's Communications and Civic Support Officer acts as the moderator of City Council's social media output and is responsible for posting and monitoring content to ensure it complies with the Social Media Policy.

The moderator will have authority to remove any posts made by third parties from Council social media pages which are deemed to be of a defamatory or libellous nature. Where appropriate, the moderator will have the authority to report any such posting to any other appropriate agency including Sussex Police and West Sussex County Council's Safeguarding Unit.

ACCEPTABLE USE OF IT

The Council provides information and communication technology systems that enable us to work efficiently. It is recognised that email communication plays an essential role in the operation of our organisation and that the way in which we all communicate with people not only reflects on us as individuals but also on us as an organisation.

In addition, the Council provides some job roles with access to the vast information resources of the internet to help us do our job and be well informed. The facilities that we provide represent a considerable commitment of resources. This policy is designed to help you understand our expectations for the use of those resources and to ensure that you use those resources wisely.

This policy applies to all staff (whether full time, part time, variable hours, temporary workers), agency workers and contractors working for or on behalf of the Council, volunteers and anyone using the Council's information and communication technology equipment.

The purpose of this policy is to set clear standards of behaviour and conduct in the use of IT.

Communications and IT equipment refer to, but are not limited to, computers, internet access, remote access connections, email servers, file storage, webmail, personal digital assistants (iPhones, iPads, Smart-Phones etc.), telephones, mobile phones and computing and networking facilities owned and operated by the Council.

Policy Statement

Information and communication technology systems provide a means for communicating both internally and externally and a means for storing information, including personal or sensitive information. All staff and other users are therefore expected to use the systems provided in ways which:

- Comply with legislative requirements (e.g. data protection, Freedom of Information, equality legislation, health and safety etc.)
- Enhance efficiency and productivity and,
- Enhance the reputation of the Council.

However, your use of IT and communication technology can pose risks to our confidential information, reputation and compliance with legal obligations. To minimise these risks, to avoid loss of productivity and to ensure that our IT resources and communications systems are used only for appropriate business purposes, we expect all employees to adhere to this policy.

Breach of this policy may result in disciplinary action up to and including dismissal. Disciplinary action may be taken regardless of whether the breach is committed during working hours and regardless of whether our equipment or facilities are used for the purpose of committing the breach. Any member of staff suspected of committing a breach of this policy will be required to co-operate with our investigation, which may involve handing over relevant passwords and login details.

People responsible for implementing the policy

The Town Clerk has overall responsibility for the effective operation of this policy. Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the Clerk.

The Town Clerk has a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the standards of behaviour expected of them and taking action when behaviour falls below these requirements.

All staff are responsible for the success of this policy and should ensure that they take the time to read and understand it. Any misuse of IT resources should be reported to the Town Clerk.

Compliance with related Policies and Agreements

The Council's policies and procedures (e.g. Code of Conduct, Disciplinary, Data Protection and Equality & Diversity Policy) apply equally to behaviour online as well as off-line. The IT resources should never be used in a way that breaches any of our other policies.

It is your responsibility to ensure that information and data that you hold on the Council's computer systems complies fully with the principles of the General Data Protection Regulation (GDPR). In brief, the GDPR requires that anyone who inputs, stores or uses personal information must ensure that the information (e.g. names, addresses, other information kept on individuals) is:

- Processed lawfully, fairly and in a transparent manner in relation to individuals
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- Accurate and, where necessary, kept up to date
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
- Processed in a manner that ensures appropriate security of the personal data.

A good way of understanding these requirements and your responsibilities is to think about how you would wish your bank to store and use and not use, your own personal details. Please refer to our Data Protection Policy.

Monitoring

The contents of our IT resources and communications systems are our property.

We reserve the right to monitor, accept, intercept, record, retrieve, print and review, your activities using our IT resources and communications systems, including but not limited to e-mails, social media postings and internet activities, to ensure that our rules are being complied with and for legitimate business purposes including:

- If you are absent for any reason and communications must be checked for the smooth running of the business to continue
- To investigate or detect the unauthorised use of the systems e.g. if we suspect that you have been viewing or sending offensive or illegal material, such as material containing racist terminology or sexual content or nudity
- If we suspect that you have been using the email system to send and receive an excessive number of personal communications
- If we suspect that you are sending or receiving emails that are detrimental to the Council

- If we suspect that you have been spending an excessive amount of time viewing websites that are not work related
- To maintain a satisfactory level of security on our computer systems

We may store copies of such data or communications for a period of time after they are created and may delete such copies from time to time in line with our Data Retention policy.

Do not use our IT resources and communications systems for any matter that you wish to be kept private or confidential from the Council. While an email that is clearly private does not fall within the definition of a communication that is relevant to the Council's business, we maintain a right to monitor such a communication where there is a reasonable suspicion that the content breaches the Council's policy.

Data protection

Monitoring of an employee's email and/or internet use will be conducted in accordance with an impact assessment that the organisation has carried out to ensure that monitoring is necessary and proportionate; where it is in the Council's legitimate interest and is to ensure that this policy on email and internet use is being complied with. For further details please refer to our Data Protection Policy.

Passwords

- All systems require an authenticated User ID/password combination prior to gaining access.
- You should ask to change your passwords as required by the Council and if you believe your password has been compromised.
- If you believe your password and/or login details have been compromised, you must inform the Town Clerk immediately and arrange for those details to be changed. Failure to do so which results in Council systems or data being compromised may result in disciplinary action being taken.
- You must not disclose your login ID (username/password) to another person. If you require access to another employee's computer system, a request must be submitted to the Town Clerk.
- In order to protect your information, you must set appropriate passwords on sensitive or confidential data and not disclose your password to others. Passwords should be at least eight characters and a combination of upper- and lower-case letters, numbers and keyboard symbols such as @#\$.
- Passwords should not include easily guessable information such as your username, actual name or business name, family member or pet's name, birthdays, football team, the word password or sequential numerical sequences.
- You are responsible for the security of your password and should not divulge it to anyone without the Town Clerk's express permission. Giving another person your username and password is not permitted, as you are held accountable for all actions under your username. Should you believe another person knows your password, change it immediately.
- Any confidential documents should be encrypted prior to sending via e-mail – the password should be notified to the receiver either verbally or by text.

Computer Usage

- Computers should be fully shut down and turned off at the end of each day. This includes turning off the screens
- To prevent unauthorised access to your files, please ensure that you log-out, or otherwise secure your computer if you are away from your desk
- The computer systems are backed up regularly, however you must ensure your work is adequately saved in a secure location that is accessible for backup

Use of email

Emails that you 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 you receive an obscene or defamatory email, whether unwittingly or otherwise and from whatever source, you should report it to the Town Clerk and must not forward it to any other address.

Statements to avoid in emails include those criticising an organisation or their staff, those stating that there are quality problems with goods or services of suppliers or clients, unless dealing directly with the organisation to address service issues, and those stating that anyone is incompetent.

You must exercise care not to copy emails automatically to all those copied into the original message to which you are replying. Doing so may result in disclosure of confidential information to the wrong person. When sending to an email distribution list please use BCC unless consent has been received from everyone on the list that their information can be shared.

You must 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, you should check with the Town Clerk.

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

Mobile phone texting

- Texting funders, suppliers or other external stakeholders should be avoided wherever possible. Texting can often involve an abbreviated use of language which not everyone is familiar with. If you must text another person keep any abbreviated language to a minimum, to ensure a full understanding of the message
- Text messages must be treated in the same way as emails, in the sense that they must not contain illegal, discriminatory, obscene, pornographic or otherwise abusive or threatening messages
- Content of work-related text messages or text messages on company equipment should meet the requirements of our data protection policy.
- Official transactions such as placing orders must not take place via text or voice calls. Your Council email should be used so that a history of the transaction is kept.

Internet

- You must not use the Council systems to access pornographic, offensive, illegal or other improper material or make inappropriate use of the Internet. This includes accessing on a personal device using the Councils' WIFI or data connection.
- Producing, downloading or distributing sexually explicit or offensive material in any form, electronic or otherwise (e-mail, blogging, picture, file, printed-output, etc.), which may be considered abusive or derogatory to individuals on the basis of race, ethnicity, religion, gender, sexual orientation, gender re-assignment, disability, age etc. is a violation of our Equality & Diversity policy. Any such action will be considered as gross misconduct.
- The Council has installed an internet firewall to assure the safety and security of its network. We may block access from within our networks to all sites mentioned above that we know of. If you find

yourself connected accidentally to a site that contains sexually explicit, offensive or illegal material, you must disconnect from that site immediately and notify the Clerk.

- You must not subscribe to chat rooms, dating agencies, messaging services, internet diary (known as blogging) or other on-line subscription internet sites using your Council email address.

Misuse

Misuse of the Council computing facilities may result in disciplinary or criminal proceedings. Misuse constitutes (but is not limited to) the following points:

- Not adhering to points covered in this policy.
- Use that results in a breach of our data protection policy.
- Attempting to discover another person's username and password, by any means.
- Attempting to monitor or tamper with another user's electronic communication or data, or reading, copying, modifying or deleting another user's data without the explicit agreement of that user, or the Town Clerk. (Except in the case of electronic mail messages where messages sent and received can be copied and/or monitored.).
- Attempting to circumvent by any means the computer or network security.
- Using the computer systems (such as electronic mail) to act abusively towards others (including individuals, groups, companies or any other organisation) whether internally or externally.
- Knowingly running and installing on any computer or network, or giving to another user, a program or macro intended to disrupt or damage in any way the computer systems and/or network operations, its files, programs, data, or any related peripheral or device.
- Violating terms and conditions of software copyrights and agreements, including making illicit copies of software.
- Installing any software by whatever medium (e.g. data sticks, CD-ROM or data transfer) not provided, virus checked and approved by the Council Services and Support Manager or the Town Clerk.
- The transfer of any data files from data sticks, CD-ROM or data transfer to any the Council computer without being fully virus checked.
- Installation of any software not purchased on behalf of the Council. This includes any software from previous employers or from home computers. Installation of software included with any magazines or where the origin of the software is not known is strictly prohibited.
- Performing any act that will interfere with the use of the computer, network or equipment (such as printers) or will affect another user's ability to make use of that equipment, such as downloading unnecessary large documents.
- Using the computer systems for any activity not related to your work for the Council for personal financial gain.
- Relocating or re-allocating computer equipment without the permission and guidance of the Council Services and Support Manager or the Town Clerk.
- Deliberately wasting computer resources or working time, by, for example playing games or sending "junk" or "chain" mails (either electronic or printed) using our equipment.
- If you are allocated a laptop or portable computer, you are responsible for ensuring the safe keeping of this equipment whilst out of the office. Under no circumstances should this be left un-attended in a public place, or in public view. Further you must ensure that all security systems and precautions have been activated to safeguard the portable computer.
- Saving confidential data to the hard drive of a portable computer is not permissible unless it is encrypted. Alternatively, each document needs to be encrypted or saved onto an encrypted memory disk.
- Saving confidential and/or personal data to an unencrypted data stick is not permitted.

- Downloading confidential and/or personal data from our systems to an encrypted data stick without the express authorisation of the Town Clerk is forbidden. Note that USB ports may be disabled.

You may be held responsible for damage to equipment, programs or data and you will be held accountable for any licensing infringements if you do not comply with the above policy.

GRIEVANCE POLICY

Purpose and Scope

It is the policy of the Council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the council. This document describes the procedure which aims to facilitate a speedy, fair and consistent resolution to an individual employee's employment grievance. This procedure is produced in line with the ACAS Code of Practice on Disciplinary and Grievance Procedures.

For the avoidance of doubt, this policy and procedure does not form part of your contract of employment, and may be changed by the Council from time to time.

Principles

- At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
- Grievances will be dealt with promptly and consistently.
- At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative during the Grievance Hearing.
- An employee will have the right to appeal against any outcome of a Grievance Hearing.
- At no time will an employee be penalised or victimised for having raised a Grievance.
- Employees with disabilities are entitled to reasonable adjustments to the process to allow full and fair participation

Procedure

1) Informal Approach

Wherever possible, any grievance should be raised informally with the employee's line manager, or if this is inappropriate with the Town Clerk.

In the case of the Town Clerk raising a grievance this should in the first instance be raised with the Chair of the Personnel Sub-Committee, unless the complaint is about the Chair of the Personnel Sub-Committee in which case the Mayor should handle the Clerk's concerns.

The recipient of the grievance complaint will meet with the employee to discuss the nature of the grievance and establish if an informal approach can be taken, usually by meeting with all involved parties and discussing the concerns.

Discretion and confidentiality will be upheld throughout this process. If required, the Council may seek external professional support and mediation during the informal process.

2) Formal Approach

If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to their line manager, or if this is inappropriate to the Town Clerk.

If relating to the Town Clerk, the grievance should be addressed to the Chair of the Personnel Sub-Committee. Likewise, if the Clerk is making the grievance this should be given to the Chair of the Personnel Sub-Committee or the Mayor if the grievance is with the Chair of the Personnel Sub-Committee.

Upon receipt of a formal written grievance, the Chair of the Personnel Sub-Committee will need to convene a Grievance Panel of three members to consider the grievance. The Grievance Panel will appoint a Chair from within its membership.

No Member with direct involvement in the matter will be appointed to the Grievance Panel.

3) Investigation

Before proceeding to a Grievance Hearing, it may be necessary to carry out investigations into the alleged grievance. The investigation may be supported via an external HR contractor. The confidentiality of the grievance process will be maintained throughout the investigation and where possible any evidence gathered will be shared with the employee ahead of the formal Grievance Hearing. If it is not possible (for confidentiality reasons) to share evidence provided, the reasons for this will be explained and a summary of the evidence will be provided to the employee.

4) The Grievance Meeting or Hearing

Within a reasonable period e.g. five working days of receipt of a written complaint, the Chair of the Grievance Panel will arrange a meeting with the aggrieved employee.

The Council will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions.

The Grievance Panel will investigate the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as they shall consider appropriate and take such steps as they consider necessary to resolve the issue raised. It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance.

The employee may call witnesses by prior arrangement with the Grievance Panel. There is no right for a Member or employee implicated in an employee's grievance to cross examine the aggrieved during a grievance hearing but the Panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately.

The Panel may ask the employee what he or she would like to happen as a result of raising the grievance and bear this in mind when preparing the response.

It is not practical to expect the entire Grievance Panel to carry out an investigation in to a grievance. The Panel would therefore convene a meeting to initially discuss the grievance with employee. The Chair of the Panel should take the lead on investigating a grievance further, if deemed necessary, having heard the initial grievance, and report findings back to the Panel at a further meeting. The Panel will then discuss the investigation and findings and agree on a response to the grievance.

At any point in the above stages, external support should be sought where felt necessary to ensure a fair and just process is followed.

5) Response

The Town Clerk (or Chair of the Grievance Panel, if the complaint is against the Town Clerk) will advise the decision to the employee in writing and, where appropriate, include an action plan to

assist in the resolution of the problem. The outcome of the resolution will be monitored and reviewed so that the Council can learn from the experience. If thought appropriate, the Council will consider undertaking Mediation as a way in which to resolve differences between two parties.

6) Appeal

If the employee is dissatisfied with the outcome of his/her grievance investigation, s/he may appeal against the decision to the Personnel Sub-Committee by written notice within five working days of the decision. An appeal may be raised if:

- The employee thinks the finding, or action plan, is unfair;
- New evidence has come to light;
- The employee thinks that the procedure was not applied properly.

On receipt of the appeal the Personnel Sub-Committee shall appoint an Appeals Panel, comprised of three members who have not participated in the grievance investigation to date.

The Appeals Panel will meet and consult with the employee, the line manager or Members concerned and any other persons, as the Panel shall consider appropriate without unreasonable delay.

The Appeals Panel Chair shall consider the issues and shall then take all such steps, as they may consider necessary to resolve those issues. The Appeals Panel decision will be final.

The Council will ensure that Members involved in the hearings act impartially and reasonably. The outcome of the appeal will be conveyed to the employee in writing in a timely manner.

Misconduct

If a grievance is deemed to concern the misconduct of another employee, the Council's Disciplinary Procedure will need to be referred to and separate investigations into the alleged misconduct carried out.

Where the grievance concerns the misconduct/breach of the Code of Conduct of a Member, the employee will be advised that if they wish they can lodge a formal complaint with the Monitoring Officer at Chichester District Council, who will lead an investigation in any allegations made.

Right to be Accompanied

At any formal stage of the procedure an employee may be accompanied by a fellow employee of their choice or their trade union representative or official of a trade union (appropriately accredited) but as this is an internal procedure, they will not be entitled to be accompanied by any external supporter e.g. partner, parent, solicitor etc.

This right to be accompanied is a statutory right. To exercise this right the employee should make a reasonable request. The companion will be allowed to address the hearing, put and sum up the employee's case, respond to views expressed at the hearing and to confer with the employee during the hearing (sometimes in an adjournment) but is not allowed to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

Hearing Panels

In situations where individual Members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as Panel members.

Confidentiality

So far as is reasonably practicable, the Council will keep any grievance or complaint of harassment confidential between the manager, Member or Sub-Committee investigating the grievance or complaint, the aggrieved employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person (for example witnesses), the employees involved will be so advised.

Record Keeping

In all cases, written records of the nature of the grievance raised, the employer's response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with General Data Protection Regulations (GDPR) and the Data Protection Act (2018).

Grievances raised during Disciplinary Proceedings

In some circumstances when a disciplinary process has commenced an employee may choose to exercise their right to raise an internal grievance about the employment relationship with the Council or individual Members.

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

DISCIPLINARY PROCEDURE

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct and attendance which are acceptable at all times, including the need to:

- Fulfil the duties specified in their contract of employment,
- Be honest and act beyond suspicion of dishonesty and,
- Maintain high standards of integrity and conduct to protect the Council's image and reputation with the public.

The aim is to ensure consistent and fair treatment for all staff

For the avoidance of doubt, this policy and procedure does not form part of your contract of employment, and may be changed by the Council from time to time.

Inevitably, because the City Council is a small organisation, Members of the Council may be involved in initiating, investigating or hearing disciplinary issues. Members of Council must always follow this procedure and should always seek external support and advice when taking disciplinary action. Suitable sources of advice include the Sussex Association of Local Councils (SALC) or the City Council's external HR advisor. The Chair of the Personnel Sub-Committee is authorised to seek advice and engage the services of the HR advisor for disciplinary issues.

Principles

- Informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance.
- No formal disciplinary action will be taken (i.e. a formal warning) until the case has been fully investigated.
- For formal action the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made at a disciplinary hearing
- Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing.
- Employees have the right to be accompanied at a formal disciplinary hearing by a work colleague or trade union official of their choice. There is no right for employees to be accompanied at a formal investigatory interview.
- Employees will not ordinarily be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will usually be dismissal without notice or payment in lieu of notice.
- An employee will have the right to appeal against any disciplinary action.
- The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.
- Disciplinary action initiated by a manager for poor performance should not come as a surprise as the Council Performance Improvement Procedure will be followed.
- Disciplinary action may be taken if evidence of misconduct is discovered during the course of an employee grievance investigation.
- Employees with disabilities are entitled to reasonable adjustments to the process to allow full and fair participation

Investigation

Your manager 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 your manager

believes there may be a disciplinary case to answer, they may want a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

You may be asked to attend an investigation meeting as part of the process. Your manager will notify you in writing of the alleged misconduct and ask you to attend the meeting. The investigation meeting will be your first opportunity to respond to and comment on the allegations. You do not have the statutory right to be accompanied at such investigation meetings. The investigators will report back to your manager or the Personnel Sub-Committee as appropriate and you will be informed the outcome. If the investigators find evidence to suggest that there has been misconduct, it is likely that you will be invited to a Disciplinary Hearing.

The investigation will take place as soon as possible after the allegations have been made. The Town Clerk, in liaison with the Personnel Sub-Committee will appoint an investigator(s), which may be the Town Clerk, members of the Personnel Sub-Committee or an external HR Consultant to support or to investigate. An investigation report will be compiled and where appropriate, a recommendation will be made. Where a recommendation is made, it will be either:

- That there is no case to answer and there should be no further action under the Council's disciplinary procedures;
- That the matter is not serious enough to justify the disciplinary procedure and can be dealt with on an informal basis, or under the Performance Improvement Procedure ;
- The employee has a case to answer, and the matter will be referred to a formal Disciplinary Hearing.

Suspension

If allegations of gross misconduct or serious misconduct are made, the Council may suspend you while further investigations are carried out if it is necessary to do so. Suspension will be on full pay; this does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation. While you are suspended you are required to be available during normal hours of work so that we can contact you if necessary. You 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. You must not attend or visit your place of work or any other Council premises. If you wish to contact any employee who you feel could assist you in preparing an explanation for the allegations made against you, you must contact your line manager in order that arrangements can be made for the employee to be available for interview.

Disciplinary Hearing

If the Town Clerk, in liaison with the Chair of the Personnel Sub-Committee decides that there is a case to answer, a panel of three Councillors will be appointed. The panel will appoint a Chair from one of its members. Any members of the Sub-Committee who were part of the investigations shall not sit on the panel but may attend the hearing to respond to any queries regarding the investigation and report.

No Councillor with direct involvement in the matter shall be appointed to the panel. You will be invited, in writing, to attend a disciplinary meeting. The invitation letter will confirm the following:

- The names of the hearing panel Chair and the other two members
- Details of the alleged misconduct, its possible consequences and your statutory right to be accompanied at the meeting
- A summary of findings of the of the investigation report, and copies of key evidence including documents and records and a copy of the Council's disciplinary procedure

- The time, date and place for the meeting; You will be given reasonable notice of the hearing so that you have sufficient time to prepare for it. If you or your companion are unable to attend on the date and time given, you may request a rearrangement. However, if a suitable alternative date cannot be found within a reasonable timescale, the hearing may go ahead in your absence and you will be invited to make written representations.
- That witnesses may attend on yours and the Council's behalf and that both parties should inform each other of their witnesses' names at least five working days before the meeting
- That you and the Council will provide each other with all the supporting evidence at least five working days before the meeting. If witnesses are not attending the meeting, witness statements will be submitted to the other side at least five working days before the meeting
- That you may be accompanied by a companion – a workplace colleague, a trade union representative or a trade union official

Meetings will usually be conducted in person, but investigation interviews or disciplinary hearings may be conducted remotely if it is necessary to do so.

The disciplinary meeting will be conducted as follows:

- The Chair will introduce the members of the panel
- The investigators will present the findings of the investigation report (where necessary or appropriate)
- The Chair will set out the Council's case and present supporting evidence (including any witnesses)
- You (or the companion) will set out your case and present evidence (including any witnesses)
- Any member of the panel, or you, (or your companion) may question the investigators and any witness
- You (or your companion) will have the opportunity to sum up your case
- The Chair will provide you with the panel's decision with reasons, in writing, usually within ten working days of the meeting. The Chair will also notify you of the right to appeal the decision

Disciplinary Outcomes

Where, following a disciplinary hearing, the Council reasonably believes that you have committed a disciplinary offence, the following disciplinary action may be taken:

First Written Warning: A first warning is issued for most first instances of misconduct. The Council will notify you of the following in writing:

- The reason for the warning, the improvement required (if appropriate) and the time period for improvement
- That the warning will be placed on your personnel file and will remain in force for a specified period of time, usually for twelve months.
- That further misconduct/failure to improve whilst the warning is in force will result in more serious disciplinary action
- That you have the right to appeal

Final Written Warning: If there is further misconduct during the period of a written warning or if the first misconduct is sufficiently serious, you may 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 the final written warning will be placed on your personnel file and will remain in force for 18 months.
- That further misconduct/failure to improve whilst the warning is in force will result in more serious disciplinary action up to and including dismissal
- Your right of appeal

Dismissal: the Council may dismiss or choose to enforce other actions including demotion or redeployment.

- For gross misconduct (in this instance, the dismissal will be without notice)
- If there is no improvement within the specified time period in the conduct which has been the subject of a final written warning
- If another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

The Council will consider very carefully a decision to dismiss. If you are dismissed, you will receive a letter explaining the reasons for your dismissal, the date on which your employment will end and details of your right of appeal.

Appeal

Any employee who is the subject of disciplinary action will be notified of the right of appeal.

Your written notice of appeal must be received by the Chair of the Personnel Sub-Committee within five working days of you 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 procedure
- The sub-committee's decision was not supported by the evidence
- The disciplinary action was too severe given the circumstances of the case
- New evidence has come to light since the disciplinary meeting

The appeal will be heard by an appeal panel of three members who have not previously been involved in the case. The appeal panel will appoint a Chair from one of its members.

The appeal panel may decide to uphold the decision of the Disciplinary Panel, 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 your personnel file.

If an appeal against dismissal is upheld, you will be reinstated, 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.

Retaining records of disciplinary warnings

A record of the disciplinary warning (and associated papers) will be kept on the employee's personnel file for 24 months but disregarded for the purposes of supplying a reference after the specified period of time has elapsed and subject to no further action being taken or warnings issued.

Table setting out responsibilities

Disciplinary action against...	Disciplinary action will normally be taken by...	Appeal will be made to
Employee who is not the Clerk	The Town Clerk	The Personnel Sub-Committee
The Town Clerk	Personnel Sub-Committee	The Chair of the Council

Examples 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 and may be reviewed in the future:

- Unauthorised absence or failure to follow absence reporting procedures
- Poor timekeeping
- Failure to disclose a personal interest in conflict with the Council's business
- Misuse of the Council's resources and facilities including telephone, email and internet (including inappropriate, defamatory or offensive comments on social media, networking, or other sites)
- Inappropriate behaviour that falls below the standards expected in the Employee Code of Conduct
- Refusal to follow reasonable instructions
- Deliberate breach of health and safety rules
- Unsatisfactory work performance (either repeated instances of poor work, or one very poor piece of work) for reasons other than capability
- Unwillingness to work co-operatively and positively as a team member
- Dishonesty
- Negligence resulting in minor loss, damage or injury

Examples of gross misconduct

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

- Serious incapability brought about by the use of alcohol or drugs
- Bullying, discrimination and harassment
- Violent behaviour or threats of violent behaviour
- Fraud or theft (whether attempted or actual) of Council property, data or information
- Gross negligence
- Gross insubordination
- Serious breaches of health and safety rules
- Serious and deliberate damage to property
- Falsification of records or knowingly making false statements
- Conduct that brings the Council into disrepute
- Unauthorised use of the Council IT equipment and systems
- Serious misuse of Council data in contravention of the General Data Protection Regulation

PERFORMANCE REVIEW (APPRAISALS)

Chichester City Council recognises the benefits of regular and constructive performance review and is committed to ensuring that employees are provided with support to enable them to work as effectively as possible.

One of the ways in which such support can be provided is through the performance management scheme, which provides a systematic opportunity to:

- Recognise the achievements of employees over the previous year
- Identify ways in which performance can be improved to the benefit of both the individual and the organisation
- Agree performance objectives and targets for the coming year
- Identify development/training needs and prepare a personal development plan
- Review job descriptions and salary scales

Individual performance will be reviewed on at least an annual basis, plus an interim review carried out six months after the main review.

The performance review year

Performance will be reviewed in September each year, with the follow up review taking place six months later.

The Town Clerk will report to the Personnel Sub-Committee twice yearly that all employees have received their appraisal and provide a summary of recommended changes to job descriptions and salaries for approval following the annual appraisals.

All appraisal documents should be signed and it is the signed copy only that is accepted. The Town Clerk objectives will be reported to the Personnel Sub-Committee, not the whole appraisal document.

Who reviews?

The review will normally be carried out by the immediate line manager. The Town Clerk will be reviewed by the Chair of the Personnel Sub-Committee.

If the Chair of the Personnel Sub-Committee is unavailable, then the Town Clerk will be reviewed by one other member of the Personnel Sub-Committee who is qualified and experienced in conducting appraisals.

The Town Clerk will monitor all appraisals for completion and consistency and will report the outcome of this monitoring to the Personnel Sub-Committee.

Preparation for the review

For performance review to be successful and effective it is essential that both the reviewer and the employee prepare. A date should be set for the review meeting at least 2 weeks prior to the discussion taking place. The supporting paperwork including the record from the previous year's review, the part year review and the objectives must be provided to the employee when setting the date.

The job description

The job description will be reviewed as part of this process, in order to ensure it is a clear reflection of the role and may be changed by mutual agreement if there are substantial, material and permanent changes to the role.

General job performance

It is recognised that all jobs are formed of both a number of specific objectives and general job performance indicators such as planning and prioritising the workload, communicating appropriately, working collaboratively with others and being flexible and adaptable. All aspects of the job will be reviewed.

Personal development

In order to carry out their role and to meet new objectives it is recognised that from time-to-time employees will need further personal development. Personal development is not simply about attending training courses. Development and training opportunities can be provided by a variety of means, but they should be realistic for both the individual and the Council, whilst taking into account operational requirements.

Opportunities may include:

- On or off job coaching
- Mentoring
- Shadowing other employees
- Taking on new responsibilities
- Undertaking project work or contributing to working parties
- Attending training courses, workshops, conferences, seminars and symposia
- Guided reading
- Networking
- E-learning

Confidentiality

The agreed objectives and comments of the reviewer and employee will be recorded on the Employee Appraisal and Development Form (**Appendix F**).

The content of the review will normally be confidential between the reviewer and employee, although the main record of discussion will be reviewed by the Town Clerk who will retain the forms for personnel files and use the information to prepare the training plan.

TRAINING & DEVELOPMENT

Chichester City Council recognises that training and development for employees and Councillors is a major investment in its ability to deliver effective services and will seek to create a culture of continuing development.

The Council will comply with the principles of the National Training Strategy for Town and Parish Councils and will subscribe to the Sussex Association of Local Councils (SALC) and Society of Local Council Clerks to ensure employees and Councillors may attend their training.

Policy commitments

The Personnel Sub-Committee will be responsible for determining, meeting and monitoring the training needs of employees and Councillors and managing the allocated budget.

Records of all training of employees will be noted on the Employee Training Record (**Appendix G**). A copy of these records along with details of Councillors' training and development will be kept by the Town Clerk.

A training schedule will be drawn up by the Town Clerk to ensure all training is relevant, fit for purpose and is carried out in a cost-effective manner. This schedule will be informed by training needs of employees identified through the appraisal system. Particular consideration will be given to carrying out training locally possibly in liaison with other local Councils.

Professional qualifications

All employees will be encouraged to pursue professional qualifications, such as the Certificate in Local Council Administration (CiLCA) or equivalent. It will be a requirement of the Town Clerk role for the job holder to hold the qualification or commit to achieving it within 18 months of appointment.

The Council will meet the financial cost of registering for and submitting the CiLCA portfolio. If a candidate is unsuccessful, the candidate will be responsible for the cost of any re-submission.

Additional higher-level qualifications or specific qualifications relevant to the role will be discussed as part of the annual appraisal. The Council may agree to meet the cost, or part thereof, of a qualification which will be of mutual benefit to both the Council and employee.

Employee personal development

The Council recognises that training and development for employees often provides continuous professional development for the employee, while enhancing specific skills. Training courses for personal development are motivational for employees and consistently lead to improved performance in their current role. Equally, the Council acknowledges that such personal development will occasionally lead employees to seek alternate employment to maximise their new or improved skills.

It is recognised that whilst training courses provide formal learning, there may be other opportunities or forms of learning which will benefit employees in their roles. This may include work shadowing, coaching or mentoring, reading, or online learning. Where appropriate, employees will be given paid time to complete such development activities, once these are agreed by their line manager as necessary and relevant. This will usually be discussed during the annual performance appraisal meeting.

Where there is a clear benefit to the Council, payment for any personal development training will be made by the Council and the employee will be expected to use their new or improved skills in their existing role within the Council.

Where the cost of the personal development training course exceeds £250, the employee will repay to the Council the full cost of the training if they leave the employment of the Council within 12 months of completion of the training. Agreement to this condition will be recorded in the employee's file.

Where the cost of the personal development training course exceeds £500, the employee will repay to the Council the full cost of the training if they leave the employment of the Council within 12 months of completion of the training and 50% of the cost of the training if they leave the employment of the Council after 12 months but within 24 months of the completion of the training. Agreement to this condition will be recorded in the employee's file.

The provisions within this part of this policy do not apply to any training course deemed compulsory for the employee to carry out their existing role, for example due to a change of regulations or insistence on particular qualifications.

PERFORMANCE IMPROVEMENT PROCEDURE

This procedure is designed to help and encourage all employees to achieve and maintain standards of job performance which are acceptable to the Council. The aim is to ensure consistent and fair treatment for everyone in the organisation.

Before this procedure is activated, you will receive feedback from your line manager setting out the concerns about your performance and how it must improve. This procedure is designed to be used when such informal discussions do not lead to an improvement in your performance to an acceptable level.

Where poor performance is believed to be the result of deliberate negligence, or where serious errors have been made to the detriment of the organisation, the Council may decide to use our disciplinary procedure instead.

For the avoidance of doubt, this procedure is not contractual and does not form part of your terms and conditions of employment. The Personnel Sub Committee may agree and publish changes to this procedure from time to time.

Principles

- Informal coaching and supervision will be considered, where appropriate, to improve performance before a formal procedure is commenced
- No formal warnings will be given until the causes of the poor performance have been considered
- For formal action (warnings) you will be advised of the nature of the poor performance and will be given the opportunity to state your case, at a formal performance improvement meeting, before any decision is made
- You will be provided, where appropriate, with specific examples of poor performance in advance of a formal performance improvement meeting
- At all formal stages of the procedure you will have the right to be accompanied by a trade union representative or work colleague
- You will have the right to appeal against any formal warnings issued
- At all stages of the process, reasonable adjustments will be discussed and made in respect of staff with disabilities

The Procedure

First stage of formal procedure - First written warning

If your line manager is unhappy with your performance, you will be invited to a formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what your line manager considers to be poor performance and advise you of your right to be accompanied at the meeting, as well as outlining possible outcomes.

At the meeting, you will be given the opportunity to respond, the causes of the poor performance will be considered and, where training and development is appropriate this will be considered.

If your performance does not meet acceptable standards you will be issued with a first written warning for unsatisfactory performance. This will set out:

- The performance problem
- The improvement that is required

- The timescales for achieving the improvement
- Any help that may be given
- The right of appeal
- Confirmation that it constitutes the first stage of the formal procedure

A record of the warning will be kept on your file. Providing that satisfactory improvement has been made and is being sustained, the warning will be disregarded after 6 months for the purposes of providing an employment reference

Second stage of formal procedure - Final written warning

If, following the first written warning, your performance has not improved to an acceptable level within the specified timescale or there is a further incidence of poor performance whilst a first written warning is live, you will be invited to a formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what your manager considers to be poor performance and advise you of your right to be accompanied at the meeting, as well as outlining possible outcomes.

At the meeting, the progress made following the first meeting will be discussed, you will be given the opportunity to respond and, where training and development is appropriate this will be considered. If there is a failure to improve performance to a level which the Council deems to be satisfactory, a final written warning will be given to you. This will set out:

- The performance problem
- The improvement that is required
- The timescale for achieving the improvement
- Any help that may be given
- The right of appeal
- Confirmation that it constitutes the final written warning and will also warn that failure to improve may lead to dismissal

A record of the warning will be kept on your file. Providing that satisfactory improvement has been made and is being sustained, the warning will be disregarded after 24 months for the purposes of providing an employment reference.

Final stage of formal procedure - Dismissal

If, following the final written warning, your performance has not improved to an acceptable level within the specified timescale or there is a further incidence of poor performance whilst a final written warning is live, you will be invited to a final formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what your manager considers to be poor performance; and advise you of your right to be accompanied at the meeting. The letter will also advise you that dismissal may be considered.

At the meeting, the progress made following the second meeting will be discussed and you will be given the opportunity to respond.

If there has still been a failure to improve performance to a level which is acceptable, dismissal will be considered or, where appropriate, redeployment to an alternative role.

Any offer to redeploy you will be entirely at the Council's discretion. Such an offer will be made only where we are confident that you will be able to perform well in the redeployed role. It will normally be offered only as an alternative to dismissal in circumstances in which we are satisfied that your performance means that you should no longer be allowed to continue to work in your current role. While you will be free to refuse any offer of redeployment and the consequent changes to pay and/or terms of conditions of employment, the only alternative available will usually be dismissal.

If the Council believes that there is no alternative role available that is suitable for you and have not met an acceptable standard of performance, we may decide to dismiss. Any dismissal will be with full notice or, at the Council's discretion, payment in lieu of notice.

If the decision to dismiss is taken, you will be provided in writing with:

- Reasons for dismissal
- The date on which the employment will terminate
- The right of appeal

Employees in their Probation Period

Employees in their probation period will be subject to a shorter route through the Performance Improvement Procedure. Meetings held under the Council's Probation Period policy to discuss performance, required standards and timescales for improvement will be considered to be first and second stage warnings under this procedure. Therefore, in the case where an employee fails to improve their performance after probation review meetings, or where performance from an employee in their probation period is so manifestly poor that there is no possibility of reaching the required standards within a reasonable timescale, the Council will convene a Final Formal meeting to determine whether it is necessary to end the employment relationship. This Final Formal meeting may be convened at any time during the probation period, whether or not the probation period has been extended.

The Final Formal Meeting will be convened as set out above. The employee will have the right to be accompanied, and the right of appeal against a decision to dismiss. Dismissal will be with notice, as set out in the contract of employment. Notice periods during the probation period may be shorter than notice periods for employees who are confirmed in position.

Appeals

If you wish to appeal against a formal warning or dismissal you must do so by writing to the Chair of the Personnel Sub-Committee within five working days of being informed of the outcome of a formal meeting. The Chair of the Personnel Sub-Committee will arrange for an appeal meeting to take place.

You have the right to be accompanied at the appeal meeting by either a work colleague or a trade union representative.

At the appeal hearing, the decision to impose the sanction will be reviewed and you will be entitled to make representations about the appropriateness of that decision.

The outcome of the appeal will be confirmed to you in writing, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

In the case of a decision to dismiss, the appeal will take place during the notice period and the termination date of employment will remain unchanged, unless the appeal hearing reverses the decision to dismiss.

EQUALITY, DIVERSITY AND INCLUSION

Chichester City Council is committed to ensuring that it does not discriminate in any way in fulfilling both its public and employment functions and to promoting equality, diversity good relations between people regardless of gender, race, disability, age, sexual orientation, marital status, gender identity, religion or belief or any other protected characteristic.

Chichester City Council commits to the provision of equality and promotion of inclusion in respect of

- its legal and statutory obligations
- its recruitment procedures and employment opportunities
- provision of services for the community
- community access to services
- staff (including unpaid staff) responsibilities and duties

Definition

Direct Discrimination

Treating a person less favourably than others are or would be treated in the same or similar circumstances because they have a protected characteristic.

Indirect Discrimination

When an activity or condition is applied to all but has a disproportionate and detrimental effect on one group with a protected characteristic because fewer of that group can comply with it and the requirement cannot be objectively justified in relation to the activity. When decisions are made about an individual, the only personal characteristics taken into account will be those that, as well as being consistent with relevant legislation, are necessary to the proper performance of the work involved.

Associative discrimination

Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.

Discrimination by perception

Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example choosing not to promote someone because you mistakenly perceive them to be gay.

Harassment or Bullying

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of violating someone else's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else. There is no legal definition of bullying but the Council considers it to be conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient. Such conduct may be physical, verbal or non-verbal. If such conduct relates to a person's protected characteristic, this is likely to constitute unlawful discrimination.

See the Council's Dignity at Work Policy for specific information on the steps we will take to prevent bullying and harassment at work.

Victimisation

Treating a person less favourably because they have made a complaint of discrimination, harassment or bullying.

Recruitment Procedures and Employment Opportunities

Chichester City Council is committed to the achievement and active promotion of equality of opportunity, and fostering a diverse and inclusive workforce in all its employment practices.

As well as accepting its responsibilities under legislation relating to discrimination on grounds of personal characteristics such as gender, race or nationality, age, sexual orientation, gender identity or gender reassignment status, marital status, religion or belief and disability, the Council recognises the need for an equality and diversity policy as evidence of its commitment to the elimination of discrimination and the promotion of good relations within the workplace and the community it serves.

The policy applies to any working for Chichester City Council in any capacity, paid or unpaid, including employees, workers, contractors, volunteers, agency staff, interns and apprentices, as well as job applicants and relates to all aspects of employment including recruitment, training, promotion and grievance, disciplinary and performance management procedures.

The policy will be made known to all employees and applicants for jobs.

No applicant or employee will receive less favourable treatment than others because of their race, gender, marital status, sexual orientation, gender identify, disability, age or religious belief.

Implementation

This document outlines the framework for implementation of the policy. Where necessary, the Council will seek advice in order to take the correct positive action.

- a) New or vacant posts will be advertised and placed in media outlets which are reasonably accessible to all suitable candidates.
- b) Details of posts will be advertised on the Council's website. Existing employees expressing an interest in promotion or transfer will be given fair and equal consideration.
- c) Where possible, the Council will provide job information in alternative formats if requested by a applicant to assist them with applying for the position.
- d) The Selection Process and interviews will follow a format that promotes inclusion, including making reasonable adjustments to the process to accommodate disabled applicants where required. Those making recruitment and selection decisions will not discriminate and decisions will be made on the basis of merit and ability to do the job
- e) The Council will take care to use language which is inclusive and non-discriminatory in job adverts, job descriptions, person specifications and interviews, and to ask only for qualifications or experience relevant for the job, accepting alternatives to formal qualifications where it is appropriate to do so.

Service Provision

The Council will ensure that all services are equally accessible to all people free from prejudice and discrimination.

The Council aims to ensure that all employees and contractors have the information they need in order to provide equality of opportunity and that this is reflected in their conduct.

The Council will require, where legally possible, partners and contractors to have equalities policies and will seek sufficient information and evidence that compliance with equalities legislation is genuine.

The Council will fully investigate and monitor all complaints of discrimination, victimisation and harassment and take appropriate action.

The Council will ensure that the services it provides are available with equal opportunity to participate and/or benefit and that the community have fair access to activities, services and events. It will to this effect, adopt a planned approach to eliminating barriers that discriminate against particular groups.

In promoting Council activities, services and events, literature, posters and leaflets should be produced in fonts and colours that suit those with visual impairments and adhere, as a minimum, to the latest accessibility guidelines in this regard. This equally applies to websites and social media outlets.

Where activities, events and services are directly aimed at groups frequently discriminated against, marketing should be carried out sensitively and discretely.

Access to Services

The Council will ensure fair and equitable access to its services. This includes physical access to venues and where possible venues will be changed where this cannot be guaranteed.

Where applicable, corridors must be left clear and free, not only as a fire health and safety precaution but also to guarantee free access for wheelchairs and mobility equipment. Lighting should reach minimum legal requirements.

Any new builds and refurbishments must be planned and built with accessibility as a primary concern.

Literature, posters and leaflets should be produced in fonts and colours that suit those with sight problems and adhere as a minimum, to latest guidelines, in this regard. This equally applies to websites and social media outlets.

Staff Responsibilities and Duties

“Staff” includes paid and unpaid employees and workers including casual, short- or long-term contracts, as well as volunteers, agency staff and contractors regardless of length of service.

- a) The Council expects all its staff to accept the duty it imposes upon itself not to discriminate, either in employment practices or in the provision of facilities, services and communications to the public, by reference to race, nationality, ethnic origin, gender, age, marital status, religion or belief, sexual orientation, gender identity or disability.

If you are found to be:-

- I. Unlawfully discriminating against (or harassing) a service user, colleague or job applicant;

- II. Conducting, inducing or inciting others to commit unlawful discrimination; or
- III. Victimising someone who has made a complaint of unlawful discrimination

then you can expect to face serious disciplinary consequences – including the possibility of dismissal.

If you feel you are the subject of unlawful discrimination or harassment you must tell your manager or the Town Clerk immediately.

- b) The Council will apply conditions of service regarding payments, holidays, antenatal and maternity care and other entitlements and benefits fairly and without discrimination. Equal pay reviews will be periodically undertaken.
- c) The Council will give serious consideration to all reasonable requests for adjustment of working hours or for other non-standard working arrangements in line with our Flexible Working Policy.
- d) The Council will ensure that within its employment practices it does not unjustifiably discriminate or indirectly discriminate on the grounds of personal protected characteristics. This includes matters such as recruitment and selection, training, pay, benefits and other contractual terms and bullying and harassment.

The Council will ensure that the duty to make reasonable adjustments for existing and potential staff with a disability is fulfilled. This requirement will also be fully taken into account in any formal processes, including recruitment and selection, absence management, performance management, disciplinary and grievance procedures.

Complaints Procedure

Chichester City Council will not tolerate any acts of discrimination or harassment. Due to the serious nature and legality of complaints in this area, all complaints are requested to be put in writing. Any Councillor, staff member or volunteer that receives a verbal complaint must encourage the complainant to put their complaint in writing. Verbal complaints cannot be dealt with under this policy.

Written complaints should be addressed to the Town Clerk, who will decide on the severity of the complaint. Issues that can be dealt with at a managerial level will be done so. Serious, on-going and unresolved complaints will be escalated to the City Council or District Monitoring Officer, having final arbitration in matters of resolution and responsibility for policy amendments arising from a complaint and / or new legislation.

If any member of staff believes that they have been unjustifiably discriminated against or treated unfairly on the grounds referred to in this policy then they are entitled to take action using the Council's Grievance Procedures and / or Dignity at Work Policy. Should formal disciplinary action be necessary in relation for example to an allegation of harassment, this would be carried out under the Council's Disciplinary Procedure.

DIGNITY AT WORK – BULLYING AND HARASSMENT

Statement

Chichester City Council will not tolerate bullying or harassment by, or of, any of its officers, members, contractors, volunteers, visitors to the Council or members of the public from the community which we serve. The Council is also committed to the elimination of any form of intimidation in the workplace.

This statement reflects the spirit in which the Council intends to undertake its business and outlines the specific procedures available to all employees to protect them from bullying and harassment. It should be used in conjunction with the Council's Equality and Diversity Policy, Grievance and Disciplinary Policies, which are amended from time to time.

Definitions

Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour. It is an abuse of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability and which causes them to suffer stress.

Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This may be because of a single action or a series of multiple occasions over a period of time. This statement covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, gender identity or reassignment, race, nationality, ethnic origin, religion, belief, disability or age. Sexual harassment is unwanted conduct of a sexual nature that has this effect. From late 2024 it is expected that the Council will have a legal duty to prevent sexual harassment of its workers, including by third parties.

These definitions are derived from the ACAS guidance on the topic. Both bullying and harassment are behaviours which are unwanted by the recipient. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others, staff turnover and damage to the Council's reputation.

Examples of unacceptable behaviour are as follows:

- Spreading malicious rumours
- Insulting someone
- Ridiculing or demeaning someone
- Exclusion or victimisation
- Unfair treatment
- Overbearing supervision or other misuse of position or power
- Unwelcome sexual advances
- Making threats about job security
- Deliberately undermining a competent worker by overloading them with work and/or constant criticism
- Making inappropriate jokes, comments or gestures (sometimes referred to as 'banter') about an individual's physical appearance, faith or belief, disability or health, sexual orientation or similar personal characteristics
- Accessing, displaying or distributing offensive or insulting material, either in person, via the Council's IT networks or via social media
- Preventing an individual's promotion or training opportunities.

This list is not exhaustive.

Bullying and harassment may occur face-to-face, in meetings, through written communication including email, by telephone or through automated surveillance methods. It may occur on work premises, during work related events and in non-work situations. This list is not exhaustive.

Penalties

Bullying and harassment are considered examples of serious misconduct which will be dealt with through the disciplinary procedure at gross misconduct level and may result in summary dismissal from the Council for employees or as a contravention of the Member's Code of Conduct, which may result in action or penalties against the Councillor concerned. In extreme cases harassment can constitute a criminal offence. The Council may take appropriate legal advice if such a matter arises.

The Council's position on Bullying and Harassment

The Council will not tolerate bullying or harassment in the workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct and whether done purposefully or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. We will take appropriate action if any of our employees or contractors are bullied or harassed by our stakeholders or suppliers. Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

Process for dealing with complaints of bullying and harassment.

Informal approach

Anyone; employee, contractor, member or visitor, who feels they are being bullied or harassed should try to resolve the problem informally, in the first instance. It may be sufficient to explain to the person(s) involved in the unwarranted behaviour that their conduct is unacceptable, offensive or causing discomfort.

If your complaint is resolved informally, the alleged perpetrator(s) will not be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened before) the Council may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Formal approach

Where an individual feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally, initially with the Town Clerk, or if this is inappropriate, the Chair of the Personnel Sub-Committee. It will be appropriate for the complaint to be put in writing after the initial discussion with the Town Clerk/Chair of the Personnel Sub-Committee, as this will enable the complaint to be investigated.

Investigation

Your manager may make preliminary enquiries to establish the basic facts in order to understand whether there may be a case to answer under the disciplinary procedure. If your manager believes there may be a disciplinary case to answer, they may want a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

You may be asked to attend an investigation meeting as part of the process. Your manager will notify you in writing of the alleged misconduct and ask you to attend the meeting. The investigation meeting will be

your first opportunity to respond to and comment on the allegations. You do not have the statutory right to be accompanied at such investigation meetings. The investigators will report back to your manager or the Personnel Sub-Committee as appropriate and you will be informed the outcome. If the investigators find evidence to suggest that there has been misconduct, it is likely that you will be invited to a Disciplinary Hearing.

The investigation will take place as soon as possible after the allegations have been made. The Town Clerk, in liaison with the Personnel Sub-Committee will appoint an investigator(s), which may be the Town Clerk, members of the Personnel Sub-Committee or an external HR Consultant to support or to investigate. An investigation report will be compiled and where appropriate, a recommendation will be made. Where a recommendation is made, it will be either:

- That there is no case to answer and there should be no further action under the Council's disciplinary procedures;
- That the matter is not serious enough to justify the disciplinary procedure and can be dealt with on an informal basis, or under the Performance Improvement Procedure ;
- The employee has a case to answer, and the matter will be referred to a formal Disciplinary Hearing.

Councillors/Contractors/Consultants

Any other party to the Council, other than a member of staff, who feels he or she is being bullied or harassed should raise their complaint with the Town Clerk, where possible, or the Monitoring Officer at Chichester District Council, if an informal notification to the Town Clerk/Chair of the Personnel Sub-Committee has been unsuccessful at eliminating the problem, or where a Councillor is directly involved in the bullying or harassment. The complaint should then be investigated and a hearing held to discuss the facts and recommend the way forward.

A member of the public who feels they have been bullied or harassed by any Members or officers of the Council should use the Council's official code of conduct or complaints procedures.

Grievance – Staff only

A meeting to discuss the complaint with the complainant will normally be arranged once a written complaint has been received and will be held under the provisions of the Council's grievance procedure.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible.

When carrying out any investigations, the Council will ensure that individuals' personal data is handled in accordance with the data protection policy.

Disciplinary action

In the event of any disciplinary action being required following investigation into allegations of bullying or harassment a full report will be made by the Grievance Panel or Personnel Sub-Committee prior to any disciplinary action being taken against the perpetrator of the alleged action/behaviour.

For an employee found to have been bullying/harassing others this will be subject to the Council's Disciplinary Procedure and would normally be treated as gross misconduct.

For Councillors, who the Council reasonably believe have been bullying or harassing another person(s) whilst undertaking Council activities, the action taken must be reasonable. In some cases counselling or training in appropriate skill areas e.g. interpersonal communication, assertiveness, Chairmanship etc., may be more appropriate than a penalty. The range of disciplinary sanctions available to the Council, where a member has been involved in bullying/harassment include; rebuke and warning to refrain from further incidents of harassment/bullying, banning from committees of the Council and representation on any outside bodies, or if appropriate invoking the Councils adopted Code of Conduct procedure and/or referral to the aggrieved victim.

False or malicious allegations of harassment or bullying which damage the reputation of a fellow employee/Member will not be tolerated and will be dealt with under the disciplinary procedure and/or a referral to the Chichester District Council Monitoring Officer.

Responsibilities

All parties to the Council have a responsibility to ensure that their conduct towards others does not constitute harassment or bullying or in any way demean the dignity of others. If unacceptable behaviour is observed, then individuals should challenge the perpetrator and ask them to stop.

DATA PROTECTION POLICY – STAFF PERSONAL DATA

Purpose

The council is committed to being transparent about how it collects and uses the personal data of staff, and to meeting our data protection obligations. This policy sets out the council's commitment to data protection, and your rights and obligations in relation to personal data in line with the General Data Protection Regulation (GDPR) and the Data Protection Act (DPA).

This policy applies to the personal data of current and former job applicants, employees, workers, contractors, and former employees, referred to as HR-related personal data. This policy does not apply to the personal data relating to members of the public or other personal data processed for council business. The council has appointed an external organisation, to ensure data protection compliance within the council. Please speak to your line manager if you would like their contact details to directly raise any questions about this policy, or request for further information.

Definitions

"Personal data" is any information that relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information. It includes both automated personal data and manual filing systems where personal data are accessible according to specific criteria. It does not include anonymised data.

"Processing" is any use that is made of data, including collecting, recording, organising, consulting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic or biometric data as well as criminal convictions and offences.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

Data protection principles

The council processes HR-related personal data in accordance with the following data protection principles. The council:

- processes personal data lawfully, fairly and in a transparent manner
- collects personal data only for specified, explicit and legitimate purposes
- processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing
- keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay
- keeps personal data only for the period necessary for processing
- adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage

The council will tell you of the personal data it processes, the reasons for processing your personal data, how we use such data, how long we retain the data, and the legal basis for processing in our privacy notices.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it. The council will not process your personal data if it does not have a legal basis for processing.

The council keeps a record of our processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

Processing

Personal data

The council will process your personal data (that is not classed as special categories of personal data) for one or more of the following reasons:

- it is necessary for the performance of a contract, e.g., your contract of employment (or services); and/or
- it is necessary to comply with any legal obligation; and/or
- it is necessary for the council's legitimate interests (or for the legitimate interests of a third party), unless there is a good reason to protect your personal data which overrides those legitimate interests; and/or
- it is necessary to protect the vital interests of a data subject or another person; and/or
- it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

If the council processes your personal data (excluding special categories of personal data) in line with one of the above bases, it does not require your consent. Otherwise, the council is required to gain your consent to process your personal data. If the council asks for your consent to process personal data, then we will explain the reason for the request. You do not need to consent or can withdraw consent later.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

Personal data gathered during the employment is held in your personnel file in hard copy and electronic format on HR and IT systems and servers. The periods for which the council holds your HR-related personal data are contained in our document retention policy, which can be found on the City Council Sharepoint in the Policy Documents Folder.

Sometimes the council will share your personal data with contractors and agents to carry out our obligations under a contract with the individual or for our legitimate interests. We require those individuals or companies to keep your personal data confidential and secure and to protect it in accordance with Data Protection law and our policies. They are only permitted to process that data for the lawful purpose for which it has been shared and in accordance with our instructions.

The council will update HR-related personal data promptly if you advise that your information has changed or is inaccurate. You may be required to provide documentary evidence in some circumstances.

The council keeps a record of our processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

Special categories of data

The council will only process special categories of your personal data (see above) on the following basis in accordance with legislation:

- where it is necessary for carrying out rights and obligations under employment law or a collective agreement;
- where it is necessary to protect your vital interests or those of another person where you are physically or legally incapable of giving consent;
- where you have made the data public;
- where it is necessary for the establishment, exercise or defence of legal claims;
- where it is necessary for the purposes of occupational medicine or for the assessment of your working capacity;
- where it is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided the processing relates to only members or former members provided there is no disclosure to a third party without consent;
- where it is necessary for reasons for substantial public interest on the basis of law which is proportionate to the aim pursued and which contains appropriate safeguards;
- where it is necessary for reasons of public interest in the area of public health; and
- where it is necessary for archiving purposes in the public interest or scientific and historical research purposes.

If the council processes special categories of your personal data in line with one of the above bases, it does not require your consent. In other cases, the council is required to gain your consent to process your special categories of personal data. If the council asks for your consent to process a special category of personal data, then we will explain the reason for the request. You do not have to consent or can withdraw consent later.

Individual rights

As a data subject, you have a number of rights in relation to your personal data.

Subject access requests

You have the right to make a subject access request. If you make a subject access request, the council will tell you:

- whether or not your data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from yourself;
- to whom your data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- for how long your personal data is stored (or how that period is decided);
- your rights to rectification or erasure of data, or to restrict or object to processing;
- your right to complain to the Information Commissioner if you think the council has failed to comply with your data protection rights; and
- whether or not the council carries out automated decision-making and the logic involved in any such decision-making.

The council will also provide you with a copy of your personal data undergoing processing. This will normally be in electronic form if you have made a request electronically, unless you agree otherwise.

If you want additional copies, the council may charge a fee, which will be based on the administrative cost to the council of providing the additional copies.

To make a subject access request, you should send the request to the Clerk or Chairman of the Personnel Sub-Committee. In some cases, the council may need to ask for proof of identification before the request can be processed.

The council will inform you if we need to verify your identity and the documents we require.

The council will normally respond to a request within a period of one month from the date it is received. Where the council processes large amounts of your data, this may not be possible within one month. The council will write to you within one month of receiving the original request to tell you if this is the case. If a subject access request is manifestly unfounded or excessive, the council is not obliged to comply with it. Alternatively, the council can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the council has already responded. If you submit a request that is unfounded or excessive, the council will notify you that this is the case and whether or not we will respond to it.

Other rights

You have a number of other rights in relation to your personal data. You can require the council to:

- rectify inaccurate data;
- stop processing or erase data that is no longer necessary for the purposes of processing;
- stop processing or erase data if your interests override the council's legitimate grounds for processing data (where the council relies on our legitimate interests as a reason for processing data);
- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not your interests override the council's legitimate grounds for processing data.
- complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk).

To ask the council to take any of these steps, you should send the request to the Clerk or Chairman of the Personnel Sub-Committee.

Data security

The council takes the security of HR-related personal data seriously. The council has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties.

Where the council engages third parties to process personal data on our behalf, such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Impact assessments

Some of the processing that the council carries out may result in risks to privacy (such as monitoring of public areas via CCTV). Where processing would result in a high risk to your rights and freedoms, the council will carry out a data protection impact assessment (DPIA) to determine the necessity and proportionality of processing. This will include considering the purposes for which the activity is carried out, the risks for yourself and the measures that can be put in place to mitigate those risks.

Data breaches

The council have robust measures in place to minimise and prevent data breaches from taking place. Should a breach of personal data occur the council must take notes and keep evidence of that breach. If you are aware of a data breach you must contact the Clerk or Chairman of the Council immediately and keep any evidence, you have in relation to the breach.

If the council discovers that there has been a breach of HR-related personal data that poses a risk to the rights and freedoms of yourself, we will report it to the Information Commissioner within 72 hours of discovery. The council will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, we will tell you that there has been a breach and provide you with information about its likely consequences and the mitigation measures we have taken.

International data transfers

The council will not transfer HR-related personal data to countries outside the EEA.

Individual responsibilities

You are responsible for helping the council keep your personal data up to date. You should let the council know if data provided to the council changes, for example if you move to a new house or change your bank details, using the Change of Details form (Appendix A).

Everyone who works for, or on behalf of, the council has some responsibility for ensuring data is collected, stored and handled appropriately, in line with the council's policies.

You may have access to the personal data of other individuals and of members of the public in the course of your work with the council. Where this is the case, the council relies on you to help meet our data protection obligations to staff and members of the public. Individuals who have access to personal data are required:

- to access only data that you have authority to access and only for authorised purposes;
- not to disclose data except to individuals (whether inside or outside the council) who have appropriate authorisation;
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, locking computer screens when away from desk, and secure file storage and destruction including locking drawers and cabinets, not leaving documents on desk whilst unattended);
- not to remove personal data, or devices containing or that can be used to access personal data, from the council's premises without prior authorisation and without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device; and
- not to store personal data on local drives or on personal devices that are used for work purposes.
- to never transfer personal data outside the European Economic Area except in compliance with the law and with express authorisation from the Clerk or Chair of the Council
- to ask for help from the council's data protection lead if unsure about data protection or if you notice a potential breach or any areas of data protection or security that can be improved upon.

Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under the council's disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing personal data without authorisation or a legitimate reason to do so or concealing or destroying personal data as part of a subject access request, may constitute gross misconduct and could lead to dismissal without notice.

Training

The council provides training to all individuals about their data protection responsibilities.

If your roles require you to have regular access to personal data, or you are responsible for implementing this policy or responding to subject access requests under this policy, you will receive additional training to help you understand your duties and how to comply with them.

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

CONFIDENTIAL REPORTING (WHISTLEBLOWING) POLICY

It is important to the Council that any fraud, misconduct or wrongdoing by staff or others working on behalf of the Council is reported and properly dealt with. The Council therefore requires all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which the organisation is run.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The Public Interest Disclosure Act provides protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that:

- A criminal offence;
- A miscarriage of justice;
- An act creating risk to health and safety;
- An act causing damage to the environment;
- A breach of any other legal obligation; or
- Concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is the Council's responsibility to ensure that an investigation takes place.

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

The Council encourages workers to raise their concerns under this procedure in the first instance. If you are not sure whether or not to raise a concern, you should discuss the issue with the Town Clerk. If you wish to raise a qualifying disclosure relating to the acts or omissions of the Town Clerk, you should raise the matter with the Chair of the Personnel Sub-Committee.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the Council should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially and the outcome of the investigation reported back to the person who raised the issue
- No employee or other person working on behalf of the Council will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the Council's disciplinary procedure will be used, in addition to any appropriate external measures
- Maliciously making a false allegation is a disciplinary offence

- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as the Town Clerk, you should not agree to remain silent. You should report the matter to the Chair of the Personnel Sub-Committee or the Chair of the Council.

Procedure

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If you are concerned that your own contract has been, or is likely to be, broken, you should use the Council's Grievance Procedure.

Stage 1

In the first instance, any concerns should be raised with your manager. If you believe your manager to be involved, or for any reason do not wish to approach your manager, then you should proceed straight to stage 3.

Stage 2

Your line manager will arrange an investigation of the matter (either by investigating the matter themselves or immediately passing the issue to someone in a more senior position). The investigation may require you and other individuals involved to give a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account and you will be asked to comment on any additional evidence obtained. Your manager (or the person who carried out the investigation) will then report to the Town Clerk who will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, your line manager (or the person who carried out the investigation) may seek advice from HR Advisers and start the disciplinary procedure. On conclusion of any investigation, you will be told the outcome of the investigation and what the organisation has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 3

If you are concerned that your line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the appropriate person as set out in the Escalation Table at the end of this document. This person will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the next person in the Escalation Table. Any approach to the more senior person will be treated with the strictest confidence and your identity will not be disclosed without your prior consent.

Stage 4

If on conclusion of stages 1, 2 and 3 you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- The Financial Conduct Authority;
- The Health and Safety Executive;
- The Environment Agency;
- The Serious Fraud Office;
- The Charity Commission
- The Care Quality Commission;
- The Children's Commissioner;

- The National Society for the Prevention of Cruelty to Children;
- The Health and Care Professions Council;
- The Chief Inspector of Education, Children's Services and Skills;
- The Homes and Communities Agency;
- The Pensions Regulator;
- The Information Commissioner.

You can find the full list at

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

Escalation Table

Town Clerk → Chair of Personnel Sub-Committee → Chair of the Council

Protecting whistle-blowers

If you raise a genuine concern under this policy, we will support you fully even if we find, through our investigations, that you made a mistake or that there has been no breach of policy, legal obligation or other activity set out in this policy. If you feel you have been treated badly as a result of raising a concern, you must tell us straightaway. If the matter remains unresolved, you must follow the formal process in our grievance procedure.

All whistle-blowers are given the same protection, so you must not threaten or otherwise badly treat others who have raised concerns under this policy. If you do, you may face disciplinary action which could include dismissal for gross misconduct. The whistle-blower may also be able to bring legal action against you.

Data protection

When an individual makes a disclosure, the Council will process any personal data collected in accordance with its data protection policy.

Data collected from the point at which you make the report is held securely and accessed by and disclosed to, individuals/third parties only for the purposes of dealing with the disclosure.

REDUNDANCY

This policy sets out the Council's approach to dealing with potential redundancies. It does not form part of the terms and conditions of employment and may be subject to change.

Although the City Council's policy is to avoid redundancies wherever possible, the needs of the Council may from time to time require a reduction in the overall number of staff employed, or organisational changes that result in some employees being made redundant. By law, a redundancy situation occurs where a dismissal is wholly or mainly caused by:

- The fact that the employer has ceased, or intends to cease, to carry on the business for the purposes of which you were employed,
- The fact that the requirements of that business for employees to carry out work of a particular kind or, at a particular place, have ceased or diminished or is expected to cease or diminish.

Where this is necessary, the Council will ensure that:

- The total number of redundancies made is kept to a minimum
- A full consultation will be carried out on proposals and their implementation
- Selection for redundancy is based on clear criteria that will, as far as possible, be objectively and fairly applied and free from discrimination or bias
- All reasonable efforts are made to redeploy or find suitable alternative work for employees at risk of redundancy
- Support and advice is provided to employees selected for redundancy to help them find suitable work when their employment has come to an end

Guiding Principles

Wherever there is a risk of redundancy, the Council will aim to:

- Develop strategies which reduce, avoid or limit the effects of compulsory redundancies
- Follow a genuine and meaningful consultation process
- Actively consider alternative employment
- Ensure that if redundancy occurs, it is handled in accordance with the law, including collective consultation where applicable
- Provide a selection procedure which is transparent, fair and reasonable and free from discrimination or bias
- Develop strategies which will assist those affected to enhance employability

Follow a redundancy procedure designed to:

- Make the process clear, fair and transparent for staff
- Guide and inform Council's management on the handling of a potential redundancy.

Selection for redundancy

If the need for redundancy arises, the Council will identify the areas in which posts are no longer required and consider whether redundancy can be avoided by:

- Natural wastage

- Re-deployment
- Dismissal of temporary staff / subcontracted staff
- Job sharing or reduction in hours
- Voluntary redundancy

Where appropriate, consideration will also be given to accepting voluntary redundancies from other service areas. The Council does, however, reserve the right to refuse request(s) in order to retain particular skills, knowledge or experience.

Should the Council need to reduce the numbers of posts in a particular role or location and there are more staff than posts to fill, specific selection criteria will be defined.

Such selection criteria will be designed to ensure that the Council retains the knowledge, skills, experience and flexibility that it needs for the future.

Consultation

In the event there is a risk of redundancy identified by the Personnel Sub-Committee and Town Clerk, the Council will consult with staff to discuss any proposals, answer questions and gather views and suggestions before a final decision is made. This will include consulting on the constitution of the group of employees at risk of redundancy and the proposed selection criteria, where selection may be necessary.

Where fewer than 20 staff are placed at risk of redundancy, the Council will normally consult with staff on an individual basis.

Where 20 or more staff are placed at risk of redundancy, the Council will consult with staff representatives for a minimum of 30 days before the first dismissal takes effect.

In consulting with staff on the reasons for and effects of proposals to make redundancies, the following information will be made available to those staff directly affected and to any staff representative where applicable:

- The reasons for the proposals
- Numbers and designations of the posts it is proposed will be made redundant
- Proposed selection methods
- The proposed methods of implementing those redundancies and the periods over which they would take effect
- The anticipated effects of those redundancies on the Council

The Council will consider representations made as part of the consultation process by directly affected staff and/or by staff representatives where applicable.

It must be recognised that it is the responsibility of the Personnel Sub-Committee to make decisions about staffing structures and to manage its resources within budgetary limitations.

Statutory Redundancy Entitlement

The law provides for redundancy payments for the loss of employment that is wholly or mainly attributable to redundancy. This is only payable to staff who have reached 2 years' service.

Statutory redundancy pay is calculated dependent on your salary*, your length of service and your age as follows:

- ½ week's pay* for each full year of service where your age was under 22
- 1 week's pay* for each full year of service where your age was 22 or above, but under 41
- 1½ week's pay* for each full year of service where your age was 41 or above

*A week's pay for the purpose of statutory redundancy pay is subject to a statutory cap.

See <http://www.direct.gov.uk/redundancy.dsb> for further information on qualifying rules and latest statutory rates.

Voluntary Redundancy

At its discretion, the Council may choose to offer enhanced payments to those accepted for voluntary redundancy as a means of avoiding compulsory redundancies. This may include removing the cap on the value of a week's wages, paying a voluntary redundancy payment to a person with less than two years' service or otherwise enhancing the payment due. If this is the case, employees will be made aware of any enhanced payments available for voluntary redundancy during the consultation phase, and offered the opportunity to apply.

The Council is under no obligation to offer enhanced payment for voluntary redundancy, and if it has taken this action in the past, there is no guarantee that it will do so in any future redundancy situation.

Notice

Entitlement to notice in the case of a redundancy dismissal is as stated in your contract of employment provided it is no less than the statutory notice which is one week for each year of service, with a minimum of four weeks after one year's service and a maximum of twelve.

In most cases you will be required to work out your notice period. However, in some cases the organisation may decide it is more appropriate to give a payment in lieu of notice. This will be at the Council's discretion and will depend on the circumstances at the time.

Formal notice of redundancy will be confirmed in writing and will include the calculation of any payments due on termination, including any statutory redundancy entitlement.

During the notice period, you will be entitled to reasonable paid time off for alternative job search e.g. to attend interviews. This time off must be agreed in advance with your line manager.

Redeployment

If a suitable role is available elsewhere within the Council, you may be offered that role. Redeployment may be offered at any stage of the redundancy process, including during consultation, selection and after notice of redundancy is given. Notice of redundancy will be withdrawn if a suitable alternative role is accepted.

Offers of alternative employment which are made in this way will include a statutory trial period of four weeks. This means that you will have four weeks in which to decide whether you regard the alternative employment to be suitable in terms of the type of work and place you are required to work from and as to the other terms and conditions, including salary relating to the new post, where these differed from the old

post. At the Council's discretion, pay protection may be offered for a limited period of time in cases of permanent redeployment to a roles of a lower grade.

If at any stage during the trial period either party has concerns regarding the suitability of the trialled appointment and a decision is made to end the employment relationship on those grounds, then your right to redundancy payment is preserved. Where the Council believes that you have unreasonably refused a reasonable offer of suitable alternative employment, your employment will still terminate on grounds of redundancy but you will lose your right to a redundancy payment.

Appeals

If you are given notice of redundancy, you will be given an opportunity to appeal against your dismissal. The redundancy notice letter will confirm who the appeal should be lodged with and the timescales to appeal. This will normally be within 10 working days of the notice letter.

The appeal will normally be heard by a panel convened from the Personnel Sub-Committee.

There is no further right of appeal.

Data protection

The Council processes personal data of employees, including data that is within the special categories of data (such as personal data concerning your health), collected during your recruitment and while you are employed in accordance with its data protection policy for the purposes of dealing with any potential or actual redundancies. In particular, data collected and processed for those purposes is held securely and accessed by and disclosed to, individuals for the purposes of:

- Complying with its statutory notification and consultation obligations including trade union representatives (where a union is recognised) and employee representatives;
- Following a fair procedure to ensure that dismissals for redundancy are not unfair;
- Selecting employees for redundancy;
- Considering alternatives to redundancy;
- Offering alternative employment;
- Implementing redundancies;
- Dealing with appeals against selection; and
- Defending legal claims arising from redundancies.

Inappropriate access or disclosure of employee data by an employee of the Council constitutes a data breach and should be reported immediately in accordance with the data protection policy. It may also constitute a disciplinary offence, which will be dealt with under the Council's disciplinary procedure.

Trade union representatives, in their capacity as representatives of a trade union, must deal with personal data about you in accordance with all relevant legal requirements, including the General Data Protection Regulations.

Time off work

An employee under notice of redundancy will be entitled to a reasonable amount of paid time off to look for alternative work, attend interviews, etc. Employees wishing to take advantage of this right should make the appropriate arrangements with their line manager.

HEALTH & SAFETY POLICY

Health & Safety Policy Statement

Chichester City Council regards the promotion of occupational health, safety, and environmental awareness as a key responsibility for all members and employees.

It is the City Council's policy to take all reasonably practicable measures to prevent personal injury, occupational disease and damage to property. These measures include the protection of the public and others who are on the City Council premises or in contact with its products. To ensure this policy is meaningful the City Council will use it as a framework for setting and reviewing targets on a Council wide basis.

All references in this document to the said legislation will also apply to updates of the said legislation.

The City Council accepts the following responsibilities:

To provide and maintain safe and healthy working conditions taking into account statutory requirements.
To provide and monitor training which enables employees to perform their work safely and efficiently.
To provide and maintain all necessary safety devices and protective equipment.
To provide instruction as to when and how to use safety devices and protective equipment and to monitor ongoing appropriate use.
To meet the obligations of health and safety in the workplace through consultation with external health and safety regulatory bodies and with employees.

The City Council's employees have the following responsibilities:

To work safely and efficiently.
To meet statutory obligations relating to health and safety in the workplace.
To report promptly all accidents and incidents including those where no injury to people has occurred.
To follow the City Council's working procedures.
To assist in the investigation of accidents so that measures may be taken to prevent a recurrence.
In the absence of the Clerk or when necessary responsibility will be delegated to the Deputy Clerk or another member of staff.

The Deputy Clerk and City Council Managers and have an overarching responsibility for health and safety standards for their respective service areas. In particular, they will establish the systematic management of safety and health and any specific arrangements for the implementation of this policy statement.

The Annex to this Policy Statement contains more details.

This Policy will be reviewed on an annual basis .

1. Responsibilities

The responsibility for health and safety rests with everyone, from The Clerk through to each individual member of staff. This section sets out the responsibilities under this policy.

1.1. Overall and final responsibility for health and safety within the business is that of Chichester City Council as a corporate body.

1.2. The Clerk to the Council is responsible for ensuring that all activities under their control are carried out in accordance with the City Council's Health and Safety policy, standards and safe working procedures; and in accordance with statutory provisions.

1.3. The Deputy Clerk and City Council Managers and have an overarching responsibility for health and safety standards for their respective service areas.

1.4. Employees have legal duties under the Health & Safety at Work etc. Act 1974. In particular, they must:

Co-operate with The Clerk and where applicable their Manager on health and safety matters;

Take reasonable care for their own safety and that of others who may be affected by their acts or omissions at work;

Co-operate, so far as is necessary, to enable any duty or requirement imposed on the business by or under any of the relevant statutory provisions, to be performed or complied with;

Not intentionally or recklessly interfere with or misuse anything provided in the interest of health, safety or welfare in pursuance of any of the relevant statutory provisions.

Failure to comply with these requirements may lead to disciplinary action being taken by the City Council and/or prosecution by the Health & Safety Executive (HSE).

2. Health & Safety Risks Arising From Our Work Activities

Under the Management of Health and Safety at Work Regulations 1999, the City Council has a duty to assess risks to the health and safety of anyone who may be affected by their work activities. It is the Council's policy to ensure that no-one is put at risk from any activities under its control.

2.1. Risk assessments will be undertaken by a suitably qualified person designated by the Clerk or Deputy Clerk.

2.2. The findings of the risk assessment will be reported to all relevant members of staff.

2.3. Action required to remove/control risks will be approved by the City Council or an appropriate committee.

2.4. The Clerk to the Council will be responsible for ensuring the action required is implemented.

2.5. The Clerk to the Council on behalf of the Council or a suitably qualified person designated by the Clerk will check that the implemented actions have removed the hazards or reduced the risks to an acceptable level.

2.6. Assessments will be reviewed annually or when work activity changes, whichever is soonest.

3. Consultation with employees

Under the Health and Safety (Consultation with Employees) Regulations 1996 the Council has a duty to consult employees either directly or through elected representatives on matters relating to health and safety.

4. Safe Plant and Equipment

Under the Provision and Use of Work Equipment Regulations 1998 and Lifting Operations and Lifting Equipment Regulations 1998, the Council has a duty to ensure that all plant and equipment that requires maintenance (including statutory testing) is identified and that the maintenance work is undertaken.

4.1. The Clerk to the Council, Deputy Town Clerk, Council Manager or a suitably qualified person designated by the Clerk will be responsible for identifying all equipment /plant needing maintenance (e.g. portable electrical appliances, lifts, etc.).

4.2. The Clerk to the Council or nominated person will be responsible for ensuring effective maintenance procedures are drawn up.

4.3. The Clerk to the Council will be responsible for ensuring that all identified maintenance is implemented.

4.4. The Council House lift is maintained and checked under contract on an annual basis.

4.5. Any problems found with plant/equipment should be reported to the Clerk to the Council.

5. Safe Handling & Use of Substances

Under the Control of Substances Hazardous Regulations (COSHH) 2002, the Council has a duty to assess the risks from both hazardous substances that are used (e.g. chemicals, solvents, paints, oil, etc.).

5.1. The Clerk to the Council, Deputy Town Clerk, Property Maintenance Manager, or a suitably qualified person designated by the Clerk will be responsible for identifying all substances that need a COSHH assessment.

5.2. The Clerk to the Council, Deputy Town Clerk, Property Maintenance Manager, or a suitably qualified person designated by the Clerk will be responsible for undertaking COSHH assessments.

5.3. The Clerk to the Council is responsible for ensuring that all actions identified in the assessments are implemented.

5.4. Assessments will be reviewed annually or when the work activity changes, whichever is soonest.

6. Information, Instruction & Supervision

The Health and Safety (Information for Employees) Regulations 1989 require the business to display a poster telling employee what they need to know about health and safety.

6.1. A copy of the HSE's Health and Safety Law poster is displayed in the staff kitchen of the Council House.

6.2. Health and Safety advice is available from the Clerk to the Council.

6.3. Supervision of new employees will be arranged/undertaken/monitored by the Clerk to the Council or any one nominated by the Clerk.

7. Competency for Tasks & Training

The law requires an employer to provide appropriate information, instruction and training regarding health and safety at work. This is to enable employees to work safely for the benefit of themselves and others.

7.1. Induction training will be provided for all employees by the Clerk to the Council, Deputy Town Clerk or by the respective Council Manager.

7.2. Job specific training will be provided by the Clerk to the Council, Deputy Town Clerk or Council Manager and/or by any one of the Council's caretakers and/or external training.

7.3. The following tasks must only be carried out by specifically authorised employees, who will normally have successfully completed a special training course. This is because the tasks are either potentially hazardous or legislation demands authorised persons only:

use of ladders

handling and using chemicals

street works

All other employees are strictly forbidden from carrying out the above tasks unless supervised by a suitably qualified person.

Training records are kept by the Clerk to the Council.

Training will be identified, arranged and monitored by the Clerk to the Council.

If an employee does not understand any matter relevant to their health and safety at work, or consider that they have not received adequate information, instruction or training, they must report the matter to the Clerk.

8. Accidents, First Aid & Work-Related Ill Health

The City Council will ensure, so far as is reasonably practicable, that all accidents and dangerous occurrences are reported internally and, where appropriate, to the enforcing authority. In addition, all accidents and dangerous occurrences will be investigated and reasonable measures put in place to prevent recurrences.

8.1. All accidents, cases of work-related ill health and dangerous occurrences are to be reported to the Clerk to the Council without delay. Details of the incident will be recorded in the accident book which is located in Council House. The Clerk to the Council is responsible for periodically analysing the accident book for signs of trends.

8.2. The Clerk to the Council, Deputy Town Clerk or a suitably qualified person designated by the Clerk is responsible for undertaking investigations following accidents, dangerous occurrences and work-related ill health absence.

8.3. The Clerk to the Council is responsible for acting on investigation findings to prevent a recurrence.

8.4. The Clerk to the Council is responsible for reporting notifiable accidents, diseases and dangerous occurrences to the enforcing authority, as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013.

8.5. A first aid kit is located in the reception office, staff kitchen and upstairs kitchen at the Council House.

8.6. The Clerk to the Council is responsible for ensuring that first aid boxes are regularly stocked with approved first aid material.

8.7. It is the City Council's policy to do everything that is reasonably practicable to reduce the risk of work-related stress. If any member of staff feels that they are suffering from excessive pressure, anxiety or other symptom of stress, they should speak, in strictest confidence to the Clerk or Chairman of the Personnel Sub-Committee.

Help and support is available from The Samaritans, 08457 909090 (24hrs a day).

9. Emergency Procedures – Fire Evacuation

9.1. The Clerk to the Council is responsible for ensuring the Fire Risk Assessment is undertaken and implemented.

9.2. Escape routes are regularly checked by the Property Maintenance Manager or facilities officers.

9.3. The fire alarm at Council House tested weekly by the Facilities Officers and serviced every six months.

9.4. Fire extinguishers are maintained and checked under annual contract.

9.5. The emergency evacuation procedures will be tested at each site every 6 months. The office staff will work with the Property Maintenance Manager to make arrangements for the scheduling and carrying out of the procedure.

10. Areas of Risk

There are several situations that may present a risk to health and safety. The main areas of risk are listed below:

falls from height;
contact with machinery;
struck by moving or falling objects
contact with electricity or an electrical discharge;
slip, trip or fall on same level;
exposure or contact with hot/harmful substance;

fire and explosion;
occupational health.

Further information can be found on the Health & Safety Executive's website.

11. Monitoring & Reviewing

To ensure that the Council's commitment to managing health, safety and welfare in the workplace is actively pursued, The Clerk to the Council, or a suitably qualified person designated by the Clerk will examine the implementation of this policy by performing regular safety audits and inspections of the premises and work activities. In addition, this policy, together with its associated arrangements, will be reviewed annually or when work activity changes, whichever is the soonest.

If you are unsure about any issues raised in this policy, please inform the Clerk **IMMEDIATELY**. Do not take chances.

IF IN DOUBT – ASK!

ADVERSE WEATHER

Chichester City Council recognises that adverse weather conditions can sometimes make travel to and from work difficult. Employees are encouraged to make every effort to attend work, whilst taking into account their personal safety in hazardous conditions.

This policy applies to all employees and outlines procedures which should be followed in the event of adverse weather conditions.

Employees should monitor adverse weather conditions and (where applicable) availability of public transport during the day, particularly where conditions appear to be deteriorating. Council computer systems may be used to monitor the situation, along with listening to local radio news and weather bulletins.

Contingency plans should be in place to maintain levels of service wherever possible, including:

- Cover arrangements provided by employees who do not have particularly long or difficult journeys home to ensure continuity of service
- Provision to divert services elsewhere as necessary
- Arrangements for employees to take work home with them, taking into account issues relating to access, security and confidentiality of data
- Providing members of the public with essential contact and emergency numbers in the event of complete closure of the premises

Where employees remain at work, health and safety requirements must continue to be met, including rules regarding working in extreme conditions in the event of the failure of heating systems. The Town Clerk will hold overall responsibility for ensuring the safety of staff and consider whether it is appropriate for staff to leave early, taking into account personal circumstances, such as distance from work, mode of travel and whether they have any dependants that may need to be taken care of.

Where adverse weather occurs overnight, employees should take all reasonable steps to attend their normal place of work as soon as practical, taking into account their personal safety.

If an employee expects to be delayed due to adverse weather or is unable to travel safely to work at all, they must advise their line manager as soon as practical.

If an employee is unable to attend their normal place of work, they should continue to monitor weather conditions during the day. If conditions improve, the employee should take all reasonable steps to attend, taking into account their personal safety.

If the City Council Offices are temporarily closed for safety reasons, staff will be paid as if they had attended work.

If you have made all reasonable efforts to get to work, but are unable to due to severe weather and travel disruption, it is the responsibility of the Town Clerk to decide whether:

- The employee should be able to work from home
- Annual leave / TOIL should be used to cover the absence
- Time should be made up at a later date

This also applies where an employee is either late or makes a request to leave early. Personal circumstances should always be taken into account.

DOCUMENTATION LOCATION

The most recent version of the Staff Handbook can be found on the internal HR documents page on the website here:

- <https://chichestercity.gov.uk/internal-hr-documents-and-forms/>

It is recommended that you save this link to you favourites on your phone/laptop etc for future reference.

The most up to date versions of all relevant forms referred to in this document are also available on this page, alternatively you can link directly to the forms here:

- [Confirmation of receipt of staff handbook. mandatory for all staff to complete\)](#)
- [Change of personal details form](#)
- [Sickness self-certification form](#)
- [Flexible working request form](#)
- [Appraisal template form](#)