



**FRAMPTON COTTERELL PARISH COUNCIL
POLICIES AND PROCEDURES**



Frampton Cotterell Parish Council Privacy Notice

What is Personal Data?

Personal data is information that is held about any living individual that can be used (either on its own, or in conjunction with other information), to identify that individual.

You have a right to know what is happening with your personal data, and to give consent as to what information we may hold about you. In line with the General Data Protection Regulation (GDPR) which came into effect on 25th May 2018, Frampton Cotterell Parish Council will be open, honest and clear as to why we might want to process some of your data.

Some Questions You May Have

- What information do you hold on me?
- Why do you retain this information?
- How do you keep my information safe?
- Do you share my data with anyone else?
- How do you update my information, or delete it securely?

The following paragraphs will answer all these questions for you.

When You Contact Us

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will not be shared or provided to any third party. We will process your data for legitimate and explicit purposes, collecting only what is necessary.

The Data Controller

Frampton Cotterell Parish Council as a corporate body is the formal Data Controller (as registered with the Information Commissioner's Office).

The Councils Right to Process Information

The Council has the right to process information in line with the General Data Protection Regulations Article 6 (1) (a) (b) and (e)

Processing is with consent of the data subject or

Processing is necessary for compliance with a legal obligation or

Processing 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

Information Security

Frampton Cotterell Parish Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

We will only keep your data for the purpose it was collected and only for as long as is necessary. Once we no longer have a reason to keep your data, unless otherwise required to for legislative purposes, it will be deleted. (You may request the deletion of your data held by Frampton Cotterell Parish Council at any time).

Children

We will not process any data relating to a child (under 13) without the express parental / guardian consent of the child concerned.

Access to Information

You have the right to request access to the information we have on you. You can do this by contacting the Parish Council Office at The Bickeridge Centre, Woodend Road, Frampton Cotterell, Bristol, BS36 2LQ, or via telephone: 01454 868 370 / 01454 864 442, or via email:

clerkframptoncotterellpc@southglos.gov.uk

Information Correction

We will make sure that inaccurate data is erased or rectified without delay. If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact us as per above to request this.

Information Deletion

If you wish Frampton Cotterell Parish Council to delete the information about you, please contact us as per the contact details above to request this.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object by contacting Frampton Cotterell Parish Council as per the contact details above.

Rights Related to Automated Decision Making and Profiling

Frampton Cotterell Parish Council does not use any form of automated decision making or the profiling of individual personal data.

Conclusion

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policy, Data Protection, Data Management, and Data Retention Policies to keep them up to date in protecting your data. (You can request a copy of our policies from the Parish Council Office at any time).

Complaints

If you have a complaint regarding the way your personal data has been processed you may make a complaint to Frampton Cotterell Parish Council at the above address, and to the Information Commissioners Office via telephone: 0303 123 1113, or via email: casework@ico.org.uk



FRAMPTON COTTERELL PARISH COUNCIL

Appraisal, Supervision & Training Policy

1. Introduction

- 1.1 The council recognises our employees are our most valuable asset. Regularly communicating job expectations and supporting staff development is critical for achieving a motivated and capable workforce.
- 1.2 As a small workforce, informal communications are encouraged and will take place on a daily and/or weekly basis between the Clerk and team, discussing work priorities and objectives. These meetings are not recorded.
- 1.3 The council supports a minimum of 4 supervision and 1 appraisal discussion a year, which will be recorded, to enable:
 - a structured and confidential discussion on work programmes linked to Council objectives;
 - the identification of achievements & to raise any concerns;
 - effective employee support & guidance;
 - discussions about training & development needs and individual aspirations;
 - recognition of good performance and reward arrangements.
- 1.4 The Clerk (or the Chair of the Staffing Working Group/Committee in the case of the Clerk) is responsible for ensuring the policy is followed; and for giving employees constructive, timely and honest appraisals of their performance, which should take into account both council and individual aims. The Clerk will ensure the timetable is adhered to and the process is monitored effectively. Employees are expected to engage with all areas of the policy.
- 1.5 The council sees the value in recognising and sometimes rewarding employees whose behaviour and actions go above and beyond the required job standards. The Clerk and councillors are encouraged to verbally and in council meetings, acknowledge and note those employees deserving of recognition. In addition, at the annual appraisal, eligible employees who receive an excellent performance rating can earn an extra day's annual leave.
- 1.6 The council is committed to the principle of encouraging staff and councillors to enhance their role and qualifications by further training. All sponsored training must relate to the needs of the council, be relevant to an individual's job role and be subject to council approval as is dependent on the availability of financial resources.

2. Scope

- 2.1 Informal communications will be held on a regular basis with all employees and casual, agency workers and contractors. Supervision meetings will be held with all employees, including those under probation, and on temporary contracts.
- 2.2 An annual appraisal will be provided to all staff, except new starters in a probation period, staff on temporary contracts of less than a year and casual or agency workers.
- 2.3 Any sponsored training for staff members and Councillors are subject to council approval. The council will consider the type of contracts staff are employed on in determining any requests.

3. Supervision Process

- 3.1 The council acknowledges that supervision is important to enable staff to fulfil the duties outlined in their job description, their role objectives and feel fully supported by the Clerk or Staffing Working Group/Committee in the case of the Clerk (referred to as the council).
- 3.2 Whilst the policy specifies a minimum of 4 meetings per year the Clerk, in liaison with the staff member, can determine if more supervision meetings are required, according to the job performed. If an employee has any concerns about the level of supervision they receive, they should discuss this with the Clerk initially or the Staffing Working Group/Committee.
- 3.3 Supervision will be a flexible two way process. The meeting should take place in a private room, outside of the open office environment as this allows a more open, honest and confidential discussion to take place. The Supervision can follow the outline provided in the template form (Annex 1) to be completed by the Clerk (or Staffing Working Group/Committee in the case of the Clerk) and signed by both parties. A record should be kept on file.
- 3.4 If performance is rated as 'less than satisfactory' this should come as no surprise to the employee as discussions should have already taken place in supervisions. Consideration should be given to the council's Managing Employee Performance Policy (HR advice can be sought following approval from the Staffing Working Group/Committee as HR services are chargeable).

4. Appraisal

Before the Appraisal Meeting

- 4.1 The appraisal discussions will be held over a designated period on an annual basis (as set by the Clerk in liaison with the Staffing Working Group/Committee). The Councillor or Clerk will arrange meetings and give one week's notice when inviting employees. The appraisal form should be provided to the employee with the invite to allow time to reflect and prepare.
- 4.2 The Clerk's appraisal will take place first in the annual cycle (conducted by the Chair or Councillor from the Staffing Working Group/Committee, followed by the Deputy Clerk/RFO and then the remaining workforce).

At the Appraisal Meeting

- 4.3 The meeting should be held in a confidential environment that is free from interruption. The appraisal discussion will allow an opportunity for both the employee and Clerk/Councillor to reflect and comment on the previous year's objectives (linked to Job Descriptions and Council aims). It will praise achievement and encourage the employee in their role.

- 4.4 The meeting will set objectives for the forthcoming year (aligned with council aims) and identify areas for development and improvement (i.e. can improvements be made to the way tasks are carried out).
- 4.5 Any issues of concern/support requirements and training and development needs should be discussed and written onto the form; to include future training requirements, planned qualifications, development opportunities and career planning.
- 4.6 It is important to be specific in terms of evidencing achievements and development needs. Any comments made by the Appraiser or employee are to be constructive and should not be seen as a criticism.
- 4.7 At the meeting you will discuss each category on the form and assessment level, including overall assessment & award. The overall rating can 'less than satisfactory', 'satisfactory', 'good' or 'excellent'.
- 4.8 If attendance or timekeeping relates to pregnancy or disability, advice should be sought from HR on how to treat such episodes (in liaison with the Staffing Working Group/Committee as HR services are chargeable).

After the Appraisal Meeting

- 4.9 Following the meeting the Clerk or Councillor will type up the Appraisal form, to ensure consistency in the application of the process. The form will be given to the employee for them to complete with their comments, (it is important for the employee to express their views on the appraisal).
- 4.10 The appraisal form will be discussed at a Staffing Working Group/Committee meeting, reviewing all council appraisal forms. The Group/Committee will consider all appraisals and overall ratings and will make the final decision on any rating to be agreed.
- 4.11 A good performance rating will result in the granting of an additional day's leave for the current leave year. An excellent performance rating will result in the granting of two additional day's leave for the current leave year. The Clerk will be notified for annual leave recording purposes.
- 4.12 The final version of the appraisal form (marked confidential) will be copied to the employee, the Clerk and another copy will be held on the employee's personal file.
- 4.13 The Staffing Working Group/Committee & Clerk, in liaison with employees will ensure any training, development and support requirements identified in the appraisal are considered.

Appeal

- 4.14 Councillors, the Clerk and employees are asked to support their comments and opinions with factual examples and evidence if necessary. Should an employee believe that they have not received a fair appraisal and/or performance rating they should make this comment on the form and discuss the issue with the Councillor or Clerk who conducted the appraisal (members of the Staffing Working Group/Committee can attend the meeting if required).
- 4.15 Should they still remain dissatisfied, they have the right of appeal to Full Council, within 10

working days of the final appraisal form being returned. Their grounds for appeal should be fully outlined in writing to the Chair of the Council.

5. Training and Development

5.1 Councillors should raise any training requests with the Chair of the Council, Staffing Working Group/Committee and/or Full Council. Staff and the Clerk/Councillor are encouraged to discuss training request in appraisal and supervision meetings.

5.2 When requesting training staff should specify:

- if they are requesting time off during working hours to complete the training;
- any workload implications of the training;
- the qualification title, level & provider, costs and timescales – considering the most economic and effective means to undertake the training i.e. local colleges.

5.3 All training requests will go to the Staffing Working Group/Committee for recommendations to support at Full Council. Requests are subject to the provision and availability of training budgets. Priority will be given to training essential to any job role and training of relevance to the role & council aims.

5.4 If the council agrees to fund a formal recognised qualification, staff will be required to sign a Training Costs Agreement – see Annex 2. Failure to complete the course, withdrawal or resignation from Council employment before or within 12 months of course completion will require the employee to repay 100% of the total costs (which includes course fees & expenses). If resigning between one and two years after completion of the course, the employee will need to repay 50% of the total costs.

6. General

6.1 This policy is regarded as non-contractual and does not form part of any contract of employment. Frampton Cotterell Parish Council reserves the right to amend, update, include or remove any policies according to the need of the Council's business.

ANNEX 1 - Supervision

Name:	Clerk/Councillor:
Date:	

Current Workload (e.g. progress; volume; priorities; problems; successes and failures)	
	Agreed Action Points
Performance	
	Agreed Action Points
Personal Support (e.g. line management support, teamworking)	
	Agreed Action Points
Development (e.g. new training/development needs identified, progress on previously agreed development)	
	Agreed Action Points
Other (e.g. bright ideas; value for money and efficiency; any other matters)	
	Agreed Action Points

Date of Next Supervision: _____

ANNEX 2 - TRAINING COSTS AGREEMENT

THIS AGREEMENT is dated

AND IS MADE BETWEEN:-

("the Employee"); and

Frampton Cotterell Parish Council.

WHEREAS:-

- A. The Employee is employed by the Employer as a (*insert job title*).....
- B. The Employer has booked a place for the Employee in relation to training and development in..... (*insert subject*) with
(name of training provider) ("the Course").

IT IS HEREBY AGREED AND DECLARED THAT

1. In consideration of the Employer meeting the costs of the Course which are set out in the Schedule to this Agreement ("the Costs"), the Employee undertakes to reimburse to the Employer the Costs if:
 - (i) he/she voluntarily withdraws from or terminates the Course early without the Employer's prior written consent, including a failure to attend;
 - (ii) he/she is dismissed or otherwise compulsorily discharged from the Course, unless the dismissal or discharge arises out of the discontinuance generally of the Course;
 - (iii) he/she resigns from the employment of the Employer either prior to completion of the Course or within 12 months after the end of the course to repay 100% of the total costs. If resigning one to two years after completion of the course to repay 50% of the total costs.
2. To the extent permitted by law, the Employee agrees that the Employer may deduct a sum equal to the whole or part of the Costs due in accordance with Clause 1 (iii) under the terms of this Agreement from his/her wages (as defined in Section 27 of the Employment Rights Act 1996) or from any other allowances, expenses or other payments due to the Employee. If this deduction does not cover the total amount due to the council, any money outstanding to be repaid by the employee within three months of the date of their termination of employment.
3. The amount due to the Employer under the terms of this Agreement is a genuine attempt by the Employer to assess its loss as a result of the termination of the Employee's employment and takes into account the derived benefit to the Employer. This Agreement is not intended to act as a penalty on the Employee upon termination of his/her agreement.

SIGNED:

..... (name of employee)

..... (name of Councillor/Clerk)
for and on behalf of Frampton Cotterell Parish Council.

NB. This Agreement must be signed by both parties prior to the commencement of the Course.

SCHEDULE OF COSTS

(Insert details of the costs to be incurred by the Employer in relation to the Course e.g. the Course fees, the costs of books or other materials, any other expenses paid in connection with the Course).

Course Fees:-

Cost of books/materials (if applicable):-

Any other expenses:-



FRAMPTON COTTERELL PARISH COUNCIL

Complaints Procedure

1. Frampton Cotterell Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this Council, or are unhappy about an action or lack of action by this Council, this Complaints Procedure sets out how you may complain to the Council and how we shall try to resolve your complaint.

2. This Complaints Procedure applies to complaints about Council administration and procedures and may include complaints about how Council employees have dealt with your concerns.

3. This Complaints Procedure does not apply to:

3.1. Complaints by one Council employee against another Council employee, or between a Council employee and the Council as employer.

These matters are dealt with under the Council's Grievance Policy.

3.2. Complaints against Councillors.

Complaints against Councillors are covered by the Code of Conduct for Members adopted by the Council on 23rd May 2018 and, if a complaint against a Councillor is received by the Council, it will be referred to the Monitoring Officer. Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer for South Gloucestershire Council at the following address:

South Gloucestershire Council
Chief Executive & Corporate Resources Department
The Monitoring Officer
PO Box 1953
Bristol
BS37 0DB.

4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

5. You may make your complaint about the Council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.

6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.

7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Council.

8. The Clerk or the Council will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.

9. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

Contacts: Mrs Naomi Bibi, Clerk to Frampton Cotterell Parish Council
Address: The Bockeridge Centre, Woodend Road, Frampton Cotterell, Bristol, BS36, 2LQ
Telephone: 01454 868 370 / 01454 864 442
E mail: clerkframptoncotterellpc@southglos.gov.uk

Contacts: Mrs Linda Williams, Chair of Frampton Cotterell Parish Council
Address: C/O The Bockeridge Centre, Woodend Road, Frampton Cotterell, Bristol, BS36, 2LQ
Telephone: 01454 602 157
E mail: linda.williams39215@gmail.com

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FRAMPTON COTTERELL PARISH COUNCIL

Data Retention and Disposal Policy

1. Introduction

1.1 The Council accumulates a large amount of information and data during the course of its everyday activities. This includes data generated internally, in addition to information received from individuals and external organisations. This information is recorded in various different types of document.

1.2 Records created and maintained by the Council are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council's transactions and are necessary to ensure it can demonstrate accountability.

1.3 Documents may be retained in either 'hard' paper form or in electronic forms. For the purpose of this policy, 'document' and 'record' refers to both hard copy and electronic records.

1.4 It is imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely, the Council and individual officers concerned, could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Council.

1.5 In contrast to the above, the Council should *not* retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the General Data Protection Regulations so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

2. Scope and Objectives of the Policy

2.1 The aim of this document is to provide a working framework to determine which documents are:

- Retained – and for how long; or
- Disposed of – and if so by what method.

2.2 There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value. Unimportant records of information include:

- 'With compliments' slips.
- Catalogues and trade journals.
- Non-acceptance of invitations.
- Trivial electronic mail messages that are not related to Council business.

- Requests for information such as maps, plans or advertising material.
- Out of date distribution lists.

2.3 Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.

2.4 Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed, the disposal needs to be disposed of under the General Data Protection Regulations.

3. Roles and Responsibilities for Document Retention and Disposal

3.1 Councils are responsible for determining whether to retain or dispose of documents and should undertake a review of documentation at least on an annual basis to ensure that any unnecessary documentation being held is disposed of under the General Data Protection Regulations.

3.2 Councils should ensure that all employees are aware of the retention/disposal schedule.

4. Document Retention Protocol

4.1 Councils should have in place an adequate system for documenting the activities of their service. This system should take into account the legislative and regulatory environments to which they work.

4.2 Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:

- Facilitate an audit or examination of the business by anyone so authorised.
- Protect the legal and other rights of the Council, its clients and any other persons affected by its actions.
- Verify individual consent to record, manage and record disposal of their personal data.
- Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.

4.3 To facilitate this the following principles should be adopted:

- Records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under the General Data Protection Regulations.
- Documents that are no longer required for operational purposes but need retaining should be placed at the Records' Office.

4.4 The retention schedules in **Appendix A: List of Documents for Retention or Disposal**, provide guidance on the recommended minimum retention periods for specific classes of documents and records. These schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain and in accordance with relevant legislation.

4.5 Whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

5. Document Disposal Protocol

5.1 Documents should only be disposed of if reviewed in accordance with the following:

- Is retention required to fulfil statutory or other regulatory requirements?
- Is retention required to meet the operational needs of the service?
- Is retention required to evidence events in the case of dispute?
- Is retention required because the document or record is of historic interest or intrinsic value?

5.2 When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned. A record of the disposal will be kept to comply with the General Data Protection Regulations.

5.3 Documents can be disposed of by any of the following methods:

- Non-confidential records: place in waste paper bin for disposal.
- Confidential records or records giving personal information: shred documents.
- Deletion of computer records.
- Transmission of records to an external body such as the County Records Office.

5.4 The following principles should be followed when disposing of records:

- All records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the General Data Protection Regulations.
- The Freedom of Information Act or cause reputational damage.
- Where computer records are deleted steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner.
- Where documents are of historical interest it may be appropriate that they are transmitted to the County Records office.
- Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

5.5 Records should be maintained of appropriate disposals. These records should contain the following information:

- The name of the document destroyed.
- The date the document was destroyed.
- The method of disposal.

6. Data Protection Act 1998 – Obligation to Dispose of Certain Data

6.1 The Data Protection Act 1998 ('Fifth Principle') requires that personal information must not be retained longer than is necessary for the purpose for which it was originally obtained. Section 1 of the Data Protection Act defines personal information as: Data that relates to a living individual who can be

identified: a) from the data, or b) from those data and other information which is in the possession of, or is likely to come into the possession of the data controller. It includes any expression of opinion about the individual and any indication of the intentions of the Council or other person in respect of the individual.

6.2 The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely provided that the specific requirements are met.

6.3 Councils are responsible for ensuring that they comply with the principles of the General Data Protection Regulations namely:

- Personal data is processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
- Personal data shall only be obtained for specific purposes and processed in a compatible manner.
- Personal data shall be adequate, relevant, but not excessive. • Personal data shall be accurate and up to date.
- Personal data shall not be kept for longer than is necessary.
- Personal data shall be processed in accordance with the rights of the data subject.
- Personal data shall be kept secure. 6.4 External storage providers or archivists that are holding Council documents must also comply with the above principles of the General Data Protection Regulations.

7. Scanning of Documents

7.1 In general once a document has been scanned on to a document image system the original becomes redundant. There is no specific legislation covering the format for which local government records are retained following electronic storage, except for those prescribed by HM Revenue and Customs.

7.2 As a general rule hard copies of scanned documents should be retained for three months after scanning.

7.3 Original documents required for VAT and tax purposes should be retained for six years unless a shorter period has been agreed with HM Revenue and Customs.

8. Review of Document Retention

8.1 It is planned to review, update and where appropriate amend this document on a regular basis (at least every three years in accordance with the Code of Practice on the Management of Records issued by the Lord Chancellor).

8.2 This document has been compiled from various sources of recommended best practice and with reference to the following documents and publications:

- Local Council Administration, Charles Arnold-Baker, 910h edition, Chapter 11
- Local Government Act 1972, sections 225 – 229, section 234
- SLCC Advice Note 316 Retaining Important Documents

- SLCC Clerks' Manual: Storing Books and Documents
- Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000

9. List of Documents

9.1 The full list of the Council's documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

Adopted by Full Council 2018

To be reviewed annually at the Annual Council Meeting

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Frampton Cotterell Parish Council *Appendix A: List of Documents for Retention or Disposal*

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Minutes	Indefinite	Archive		Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals of not more than 5 years they must be archived and deposited with the Higher Authority
Agendas	5 years	Management		Bin (shred confidential waste)
Accident / Incident reports	20 years	Potential claims		Confidential waste
Scales of fees and charges	6 years	Management		Bin
Receipts and Payment accounts	Indefinite	Archive		N/A
Receipt books of all kinds	6 years	VAT		Bin
Bank statements including deposit / savings accounts	Last completed audit year	Audit		Confidential waste
Bank paying-in books	Last completed audit year	Audit		Confidential waste
Cheque book stubs	Last completed audit year	Audit		Confidential waste
Quotations and Tenders	6 years	Limitation Act 1980 (as amended)		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Paid invoices	6 years	VAT		Confidential waste
Paid cheques	6 years	Limitation Act 1980 (as amended)		Confidential waste
VAT records	6 years generally but 20 years for VAT on rents	VAT		Confidential waste.
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)		Confidential waste
Timesheets	Last completed audit year + 3 years	Audit (requirement) Personal injury (best practice)		Bin
Wage books / payroll	12 years	Superannuation		Confidential waste
Insurance policies	While valid (but see next two items below)	Management		Bin
Insurance company names and policy numbers	Indefinite	Management		N/A
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management		Bin
Town Park equipment inspection reports	21 years	N/A		N/A
Investments	Indefinite	Audit, Management		N/A
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management		N/A
Members' allowances register	6 years	Tax, Limitation Act 1980 (as amended)		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Information from other bodies e.g. circulars from county associations, NALC, principal authorities	Retained for as long as it is useful and relevant			Bin
Local/historical information	Indefinite – to be securely kept for benefit of the Parish Councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use for such records (defined as materials in written or other form setting out facts or events or otherwise recording information).			Bin
Magazines and journals	Council may wish to keep its own publications For others retain for as long as they are useful and relevant.	The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 1st February 2004 has published works in print (this includes a pamphlet, magazine or newspaper, a map, plan, chart or table) to deliver, at its own		Bin if applicable

Document	Minimum Retention Period	Reason	Location Retained	Disposal
		expense, a copy of them to the British Library Board (which manages and controls the British Library). Printed works as defined by the 2003 Act published by a local council therefore constitute materials which the British Library holds.		

Record-Keeping				
Document	Minimum Retention Period	Reason	Location Retained	Disposal
To ensure records are easily accessible it is necessary to comply with the following: <ul style="list-style-type: none"> • A list of files stored in cabinets will be kept • Electronic files will be saved using relevant file names 	The electronic files will be backed up periodically on a portable hard drive and also in the cloud -based programme supplied by the Council's IT company.	Management		Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
General correspondence	Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept. Records should be kept for as long as they are needed for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.	Management		Bin (shred confidential waste) A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Correspondence relating to staff	If related to Audit, see relevant sections above. Should be kept securely and personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. Likely time limits for tribunal claims between 3–6 months Recommend this period be for 3 years.	After an employment relationship has ended, a council may need to retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the council.		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Documents from legal matters, negligence and other torts

Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period. Where the limitation periods are longer than other periods specified the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories. If in doubt, keep for the longest of the three limitation periods.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Negligence	6 years			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Defamation	1 year			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Contract	6 years			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Leases	12 years			Confidential waste
Sums recoverable by statute	6 years			Confidential waste
Personal injury	3 years			Confidential waste
To recover land	12 years			Confidential waste
Rent	6 years			Confidential waste
Breach of trust	None			Confidential waste
Trust deeds	Indefinite			N/A

Planning Papers				
Document	Minimum Retention Period	Reason	Location Retained	Disposal
Applications	1 year	Management		Bin
Appeals	1 year unless significant development	Management		Bin
Trees	1 year	Management		Bin
Local Development Plans	Retained as long as in force	Reference		Bin
Local Plans	Retained as long as in force	Reference		Bin
Parish/Neighbourhood Plans	Indefinite – final adopted plans	Historical purposes		N/A

Adopted by Full Council 2018

To be reviewed annually at the Annual Council Meeting

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FRAMPTON COTTERELL PARISH COUNCIL

DATA PROTECTION POLICY

Frampton Cotterell Parish Council is committed to the protection of personal data and will always comply with obligations under applicable data protection law including the Data Protection Act 1998 (DPA), which covers both electronic data and data held on manual records.

It is the responsibility of each elected member and every employee, worker and volunteer to be aware of their individual and collective responsibilities under the Act and to make sure they comply with its provisions. Deliberate breaches of this policy will be considered as gross misconduct. Individuals, as well as the Parish Council, can be prosecuted for breaches of the Data Protection Act.

The Parish Council will be open about the type and extent of personal data it holds. It will keep the minimum amount of personal information needed to perform its duties; it will hold that information securely, use it only for appropriate purposes and not disclose it without proper authority.

DEFINITIONS

‘Personal Data’ is information that can identify a living individual. This includes Sensitive Data (see below), names, addresses, photographs, National Insurance numbers, bank account details – these are just a few examples and the list is endless.

‘Sensitive Data’ is personal data relating to an individual’s racial or ethnic origin, political opinions, religious or other beliefs, trade union movement members, health, sexual orientation, criminal proceedings or convictions.

‘Processing’ means any operation carried out by the Parish Council or its staff on Personal Data (e.g. collection, storage, disclosure, transfer and deletion).

The Rules of Fair Processing – Key Principles

The DPA contains 8 principles that apply to all personal data processing. Personal data must always be:

- 1 Fairly and lawfully processed.
- 2 Processed for clearly identified purposes that have been notified to individuals who give the Parish Council data.
- 3 Relevant and not excessive for the purpose told to individuals.
- 4 Accurate and where necessary, kept up to date.
- 5 Not kept for longer than is necessary.
- 6 Processed in line with the individual’s rights.
- 7 Secure.
- 8 Not transferred to countries without adequate protection.

Principle 1-3 Processing Personal Data

Processing personal data may only be carried out where one of the following conditions has been met;

- The individual has given his or her consent to the processing;
- The processing is necessary for the performance of a contract with the individual;
- The processing is required under a legal obligation;
- The processing is necessary to protect the vital interests of the individual;
- The processing is necessary to carry out public functions;
- The processing is necessary in order to pursue the legitimate interests of the data controller or third parties (unless it could prejudice the interests of the individual)

Principle 1-3 Processing Sensitive Data

Processing sensitive data can only be processed under strict conditions which include;

- Having the explicit consent of the individual;
- Being required by law to process the data for employment purposes;
- Needing to process the information in order to protect the vital interests of the data subject or another;
- Dealing with the administration of justice or legal proceedings

Sensitive Data will not be processed fairly and lawfully unless it is processed with the explicit consent or where required under one of the following circumstances:

- For employment purposes.
- To protect vital interest of the individual or another.
- For the administration of justice or legal proceedings.

Principle 4

All staff, workers and volunteers must make every effort to ensure that any personal data entered on to the computer system is recorded accurately. The Data Protection Act also extends to manual records if they are or form part of a "relevant filing system". Staff, workers and volunteers will be responsible for updating records as and when notification is received from the individual/contractor, agency or other of a change in their personal details. When the Parish Council is notified of bereavement, the individual's details must be deleted immediately.

Principles 5 -7

Staff, workers and volunteers must take security measures to safeguard personal data. This includes technical measures (e.g. password protection of the computer system) and organisational measures (e.g. burglar alarms and door locks). The measures are designed to prevent any unauthorised access to, or disclosure of, personal data.

Personal Data Requests

The Parish Council will provide any person requesting it in the proper manner a response stating whether or not the Parish Council holds personal information about that individual and, if so, the opportunity to see the information and have it corrected or deleted if appropriate. A person may only request details about themselves and no other person. The Parish Council is entitled to levy a charge for this service.

A person about whom information is held is entitled (subject to a fee) to be informed whether any information is held on him/her to;

- A description of the data; and
- A copy of the information in an intelligible form.

The data subject is also entitled to request and receive information pertaining to;

- The purpose for which the data is being held;
- The recipients or classes of recipients to who it may be disclosed; and
- The source of the data.

Councillors' Data Protection responsibilities

Councillors must inform the Information Commissioner's office (ICO) if they process personal data on computers for purposes other than council business (e.g. for ward casework).

Paper files/manual records

The Data Protection Act 1988 includes manually processed information in the definition of "data" and relates to information which forms part of a "relevant filing system". The data must be capable of being accessed by reference to the individual or criteria relating to the individual.

For more information on the Data Protection Act, the Information Commissioner's website provides useful guidance www.informationcommissioner.gov.uk



FRAMPTON COTTERELL PARISH COUNCIL

Employee Code of Conduct

1. Introduction

- 1.1 Frampton Cotterell Parish Council's Code of Conduct sets out the obligations and professional standards of conduct required of all employees.
- 1.2 The public is entitled to expect the highest standards of conduct and service from all employees. In performing their duties, employees must act with integrity, honesty, impartiality and objectivity.
- 1.3 The Council recognises the actions and behaviour of its employees can impact on the local environment and communities we serve. Employees are expected to have regard for the impact of their personal behaviour on the Council, colleagues, the environment and our community; recognising the duty of all public sector employees to carry out public functions reasonably, efficiently and according to the law.
- 1.4 This code covers some of the most important issues relating to personal conduct, and gives a framework of standards and behaviour guidelines, but it not intended to be exhaustive.

2. Scope

- 2.1 This policy applies to all employees of Frampton Cotterell Parish Council, temporary staff, apprentices and casual workers.

3. Equality & Respect

- 3.1 Employees should comply with relevant legislation, namely the Equality Act 2010 and Human Rights Act 1998, Data Protection Act 1998 and Freedom of Information Act 2000. All individuals and organisations have a right to be treated with fairness and equity and for their personal information to be managed appropriately at all times.
- 3.2 All employees should respect their colleagues. The Council will not allow any kind of discriminatory behaviour, harassment or victimisation; see the **Grievance including Bullying and Harassment Policy**. Employees should conform with our **Equal and Diversity Policy** in all aspects of their work, from recruitment and performance evaluation to interpersonal relations.

4. Political Neutrality

- 4.1 Employees serve the whole of the Council and work with all councillors from all political groups. Employees may be required to advise them in ways that do not compromise political neutrality and must not:
 - Use their position for political gain either as an individual or for any political group.
 - Allow their own personal or political opinions to interfere with their work.

5. Disclosure of Information

- 5.1 The council encourages a culture of openness and transparency. The law requires that certain information must be made available to councillors, auditors, government departments, service users and the public. Certain information may be confidential or sensitive and therefore not appropriate to be made public. Employees should:
- be aware of what information the council is open about and what it is not open about and follow the appropriate procedures when disclosing information.
 - Adhere to a duty of confidentiality to the council and must act as required in accordance with paragraph 5.1 above to maintain confidentiality.
 - not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.
- 5.2 All employees are under a duty to comply with the Data Protection Act 1998 (DPA) and the Freedom of Information Act 2000 (FOI). See **Communications & Data Protection Policy**.

6. Health and Safety

- 6.1 The Council places a high priority in providing a safe working environment; all employees must conform with the **Council's Health and Safety Policies** and procedures in the performance of their duties and report any health and safety concerns to management.

7. Use of Council Property, Public Funds & Resources

- 7.1 Employees must ensure all public funds are used in a responsible and lawful manner in accordance with the Council's Financial Regulations. They should strive to ensure value for money and avoid any legal challenge to the council.
- 7.2 All employees should treat council property & resources with respect and care. Employees:
- Should not misuse company equipment/resources or use them frivolously; i.e. private telephone calls, use of IT equipment, internet & social media; in reference to the **Communications, Data Protection and IT policies**.
 - Should not abuse benefits; i.e. time off or sick pay. In reference to the **Managing Ill Health Policy**.
 - Should protect facilities and other material property (e.g. Parish Council vehicles) from damage and vandalism, whenever possible.

8. Professionalism

All employees must show integrity and professionalism in the workplace:

- 8.1 **Personal appearance** - Employees must wear Frampton Cotterell Parish Council uniform when required in their job role. They must maintain a professional standard of dress in the workplace at all times.
- 8.2 **Fraud and Corruption and Financial Interests** - The Council needs to ensure all our funding is spent wisely. It is essential that our community has confidence that the Council maintains the highest standards of conduct in financial matters and seek to maintain high standards of probity and ethical behaviour. Stringent procedural and audit arrangements are in place and employees are expected to ensure that decision making is open and fair. Employees should award orders or contracts made on merit and fair competition tender processes; not give preferential treatment to friends or relatives. Staff are expected to operate under the **Nolan principle guidance**.

We discourage employees from accepting gifts from external or internal partners. Employees should declare any financial or non-financial interests they consider could conflict with the council's interests in writing to the Clerk or the Staffing Committee in the case of the Clerk.

- 8.3 **Job duties and authority** - All employees should fulfil their job duties with integrity and respect toward members of the public, customers and the community. The Clerk & Deputy Clerk/RFO must not abuse their authority; they must act as role models and delegate duties to their team taking into account skills and workloads. Team members should follow all reasonable instructions from the Clerk and Deputy Clerk and complete their duties with skills and in a timely manner- in reference to our **Supervision, Appraisal and Training Policy**.
- 8.4 **Conflict of Interest** - Employees should avoid any personal, financial or other interests that might hinder their capability or willingness to perform their job duties. They should declare any alternative employment and duties (paid or voluntary) that could impact on their role with the Council, in writing to the Clerk of Staffing Working Group/Committee. Employees are not permitted to use any council material or information for personal gain when undertaking work (either paid or voluntary) outside of their job.
- 8.5 **Collaboration and Communication** - Employees should be friendly and collaborative. They should try not to disrupt the workplace or present obstacles to their colleagues work. All employees must be open for communication with their colleagues, the Clerk or Councillors. They should avoid the use of swearing or inappropriate language that has the potential to offend others.
- 8.6 **Relationships with other members of staff or Councillors** - Mutual respect and professional relationships should be maintained between employees and Councillors/other colleagues at all times to ensure good Parish Council provision. Employees should declare any close personal relationships with colleagues or councillors in order that the Council can take appropriate action i.e. avoid any Supervisory relationships with each other. The Council has a specific **Members Code of Conduct** that Members should adhere to.
- 8.7 **Performance, Misuse of Drugs and Alcohol, Gambling** - The Council expects individuals to follow all reasonable rules and instructions given by those supervising or managing their activities or work areas. It is a performance offence to be on Council premises and carrying out official duties when under the influence of alcohol or non- medically prescribed drugs. Gambling activities must not be conducted on Council premises. Discretion may be used in relation to small raffles for charitable purposes, national lottery syndicates and occasional sweepstakes. See the **Managing Employee Performance procedure and Managing Ill Health Policy**.
- 8.8 **Recruitment and Employment** - Employees involved in the recruitment selection process must ensure appointments are made on the basis of merit. Employees should not be involved in recruitment, appraisal, managing performance or pay adjustments where they are related to an applicant/employee, or have a close personal relationship with them. See the **Recruitment and Selection Guide**.
- Employees must notify the Clerk and/or Staffing Committee of any statutory illegality that may affect their ability to carry out the duties of their post, e.g. drivers who lose their driving licence.
- 8.9 **Court/Tribunal Proceedings** – All employees must adhere to the **Time off Work and Leave policy** in regard to attending court/tribunal proceedings that are unconnected to their role. If an employee issues proceedings against the council in any capacity any preparation must be done in their own time.

They must not use council property/equipment to prepare their case and any time off to attend proceedings/hearings must be within their own time – annual leave or unpaid leave.

8.10 **The media** – if an employee is directly approached by a member of the media they should not attempt to answer questions themselves but should refer the journalist to the Clerk or in their absence, the Deputy Clerk/RFO or the Staffing Working Group/Committee (reference to the **Communications and Data Protection Policy**)

8.11 **Conduct Outside Work** - The Council does not seek to dictate how employees conduct themselves in their personal lives outside work. However unlawful, anti-social or other conduct by employees which may jeopardise the Council's reputation or position will be dealt with through the **Managing Employee Performance Policy**. This includes conduct that has the potential to cause offence to other colleagues or members of the public.

9. Breaches of the Code

9.1 All employees should read and follow the council policies. The Council may take action under the **Managing Employee Performance Procedure** for employees who repeatedly or intentionally fail to follow the Code of Conduct. The Council may take legal action in cases of corruption, theft or other unlawful behaviour.

9.2 If employees suspect any wrong doings in respect of the Code of Conduct or other Council Policies, they can report via the **Whistleblowing procedure**.



FRAMPTON COTTERELL PARISH COUNCIL

EMPLOYEE HEALTH AND SAFETY POLICY (Including Lone Working & Eye Tests)

1. Introduction

Frampton Cotterell Parish Council is committed to achieving good standards of health & safety for all employees at work.

The main principles of the Council's policy are that:

- Health and safety is everyone's responsibility, whilst acknowledging Councillors and the Clerk have ultimate responsibility;
- Employees and contractors who are managing and carrying out work are responsible for making sure it is safe;
- Standards should be high and control measures should be proportionate to the level of risk.

If in doubt employees should raise health and safety matters with the Clerk (or Staffing Working Group/Committee), the most effective practice measures require management action.

Please refer to the Councils Health & Safety Policies and systems including:

No Smoking Policy

Safeguarding Children and Vulnerable Adults Policy

2. Lone Working

- 2.1 Lone workers are defined by the Health and Safety Executive as those people who work by themselves without close or direct supervision.
- 2.2 Lone working is acceptable in many circumstances, provided appropriate measures are made to control risks; following the Health and Safety at Work Act and the Management of Health and Safety at Work Regulation. Some tasks require at least

two people to be involved in the work.

A risk assessment should be carried out prior to any lone working in order to identify the hazards of the work, assess the risks involved, and devise and implement a safe method of working.

2.3 The hazards that all workers face are increased when there is no one else to give a warning and emergency assistance is unavailable if required, so the risk of serious injury can be more likely.

2.4 **Never work alone in the following situations:-**

- Where the risks are unacceptable;
- In confined spaces;
- Over or near water;
- On live electrical equipment;
- Areas specifically designated as “no lone working.”

2.5 Wherever the risk assessment determines, avoid working alone in the following situations:-

- Known or potentially violent or threatening situations;
- In remote locations;
- In derelict or empty buildings;
- In any hazardous environment, e.g. cliffs or confined spaces;
- On live roads;
- On roofs;
- Using ladders which cannot be tied and require footing;
- Near demolition work.

Risk Assessment and Precautions

3. **There are a few criteria to be used in deciding whether an individual can safely undertake a task by working alone:-**

- Is the workplace and access to it safe?
- Does the task require more than one person (e.g. heavy lifting, inspection work involving the erection and moving of ladders?)
- Are the risks such that it would not be safe for one person to undertake the work (e.g. visiting a potentially violent client, inspection of a derelict building or on a live highway?)
- Does the individual have experience of the hazards and sufficient ability to undertake the work by him/herself?
- Is there a risk of violence and/or aggression?
- Are women especially at risk if they work alone?
- Is the person medically fit and suitable to work alone? – consider both physical and mental factors in and routine work or foreseeable emergencies that may impose additional burdens on the individual.

3.1 Precautions should be taken when lone working is planned or could arise. The main aspects that these precautions cover are:-

- i. Awareness of any special hazards; devise and implement safe systems of work to ensure that the risks are eliminated or controlled. If in doubt, send two or more people;
- ii. Ability to act effectively if an emergency;
- iii. Arrangements to alert others of the need for action, if return is overdue;
- iv. Check if there are any particular rules or requirements that you should follow;
- v. Make sure any equipment can be safely handled by one person and also, ensure safe access and exits;
- vi. Mobile phones supplied to Caretaker/Groundsperson should be carried at all times, be fully charged and turned on;
- vii. Ensure the member of staff has adequate protective clothing and equipment (particularly clothing to keep out rain and cold);
- viii. Take a torch, suitable for the work environment, if you expect to be out after dark or entering unlit areas;
- ix. If working on electrical apparatus ensure that a safe system of work is implemented. Prior to work beginning, apparatus should be switched off and locked off and unable to be re-energised by any other person;
- x. **Do not ask anyone to perform work they are not trained, equipped or prepared to perform safely.**

3.2 Wherever possible, work should be undertaken by two or more persons when working away from the office or normal workplace. There may be occasions when it is possible for one employee to carry out the work. When this situation arises, the employee should remain in regular contact with the office staff, who can summon help if required.

3.3 If the risks are assessed and it is deemed acceptable to work alone, it is important that the employee communicates their whereabouts, intentions and expected periods of absence to the Clerk and/or office staff. A tracker facility will be placed on the mobile phone, so if there was no contact or delayed contact, and the office staff have attempted to ring the Caretaker/Groundsperson, they could then use the tracker tool to reveal their whereabouts to be relied upon to institute a search or contact the emergency services if overdue.

3.4 See **Procedure for Working Alone or Visiting other Premises/Locations Guide** below.

4. EMPLOYEE EYE TESTS

- 4.1 Computer screen work does not cause vision problems, but if people have problems, they may become more apparent as they work with a computer. The Display Screen Equipment Regulations 1992 (amended in 2002) describe what workers are entitled to, and this policy is based on those regulations

People are advised not to commit themselves to any expenditure without being sure of their entitlement.

What you are entitled to is normally:

- An eye examination – for most users of computer equipment.
- Glasses – for a small number of people in special circumstances.

4.2 Eye examination

If you regularly use a computer for extended periods (eg two hours or more) then you are entitled to the cost of an eye examination, when you start work and if you have not had one for a reasonable period (2 years if suitable in most cases but a shorter period may be suitable if you are experiencing significant problems).

The examination is similar to a traditional eye examination but it will also examine the vision at an intermediate distance (where the screen is likely to be) in addition to the traditional reading and distance levels.

There is no obligation on employees to have an eye and eyesight test. Eye and eyesight tests are to be undertaken in the employee's own time.

4.3 Glasses

You are only entitled to glasses if they are needed **only for the screen work** and not for everyday use such as reading or driving.

So you will not be provided with glasses if they are the following

- (i) A near vision prescription that brings the screen into focus (eg reading glasses), or
- (ii) A distance prescription that brings the screen into focus.

This normally means an intermediate distance prescription. The free glasses provision covers basic single vision lenses, and does not include special lens treatments such as tints and coatings.

If people want varifocals, tints or more expensive frames, they can pay a top up, but note that in many cases varifocals can present problems because they could lead you to adopt a poor working posture, with stress on your neck.

Extract from Health & Safety Executive guidance

Does my employer have to pay for DSE spectacles?

Answer: Your employer will only have to pay for spectacles if the test shows you need special corrective appliances (normally spectacles) that are prescribed for the distance the screen is viewed at. If an ordinary prescription is suitable for your DSE work, your employer does not have to pay for your spectacles.

A report from the optician should be given to the Parish Council which should clearly state whether or not the employee needs a corrective appliance specifically for his or her work at the VDU. If so, the Council will pay for the basic cost of the glasses to a maximum of £60, or the equivalent amount of money towards a pair of glasses of the employee's choosing.

In terms of driving, each individual is responsible for ensuring they are fit to drive. It is not the Parish Council's policy to pay for eye tests and spectacles for employees who drive in their course of work.

Procedure for Working Alone or Visiting other Premises/Locations Guide

The Clerk should ensure awareness of the safety procedures in place, including the following points:

- Do **not** turn a “blind eye” to potential problems just to get information or “cut corners.”
- Do **not** assume that people will wonder where you are. Ensure that they know.
- Do **not** leave a work area in an unsecured manner.

All Council employees who are required to visit other premises, existing buildings, unoccupied sites, remote locations, derelict buildings and any other location involving working away from the office as part of their normal work activities. Inexperienced staff must not be sent to work at hazardous locations/ situations, unless supervised by experienced colleagues familiar with such hazards (it is normally inappropriate for persons under 18 years old to work alone).

Consideration should be given to possible health and safety hazards when developing safe systems of work. Some examples are:-

Before a visit:-

What will you be doing?

What clothing and equipment will you need? Will you need help to carry out the work?

Discuss the hazards at the site with the Clerk or a colleague who has visited the site before, or the occupier. To include fire escape arrangements, security details and first aid kit. Ensure an intruder could not get in to the building whilst a worker was working alone.

Ensure that someone knows where you are going, what you will do and when you expect to return.

On arrival at the location / site:-

If visiting an occupied work location, report to reception or the site office.

Establish the occupier's rules or procedures for site visitors and follow them; ask to be briefed on the hazards associated with that particular site.

Obey all warning signs and notices.

Wear appropriate personal protective equipment, e.g. gloves, eye protection, ear defenders, high visibility clothing and head protection.

While carrying out the work:-

Observe the comments above, on arrival at the location.

Report the hazards to the occupier or site manager.

Whilst working on site, follow safe systems of work at all times.

On leaving the site:-

Report your departure to the reception office.

Return any borrowed equipment or clothing.

On return to the Brockridge Centre, report your arrival. However, if you are not returning to the office, confirm your departure off the site by a telephone call to the office staff.

All council buildings

- Use the hatch (where available) when dealing with members of the public.
- Care should be taken to ensure that all outside doors are locked and secured from unauthorised intruders.

Leaving Buildings at Night

When leaving Parish Council premises at night, following meetings of the Council or one of its committees:

- When there is only one member of staff present, a member of that committee should be requested to remain until the building is secured in order that the member of staff is not alone (*this is especially important at the Pavilion*).
- When there is more than one member of staff present they should leave together and ensure that no-one is left in the building on their own.

Emergency Call Outs

- When "called out" because the alarm has been activated at a Parish Council building the member of staff attending should not enter the premises until the arrival of the police and their indication that it is safe to do so, to ensure their safety.



FRAMPTON COTTERELL PARISH COUNCIL

Health and Safety Policy

1. GENERAL

- a) Frampton Cotterell Parish Council recognises and accepts its responsibilities as an employer for providing a safe and healthy working environment for all its employees, contractors, voluntary helpers and others who may be affected by the activities of the Parish Council.
- b) The Parish Council will meet its responsibilities under the Health and Safety at Work Etc. Act 1974, as amended, and will provide, as far as is reasonably practicable, the resources necessary to fulfil this commitment.
- c) The Parish Council will seek as and when appropriate, expert technical advice on Health and Safety to assist the Clerk in fulfilling the Parish Council's responsibilities for ensuring safe working conditions.

2. AIMS OF THE HEALTH AND SAFETY AT WORK POLICY

To provide as far as is reasonably practicable:

- a) A safe place of work and a safe working environment.
- b) Arrangements for considering, reporting and reviewing matters of Health and Safety at work, including regular risk assessments of working activities.
- c) Systems of work that are safe and without risk to health.
- d) Obtaining specialist technical advice and assistance on matters of Health and Safety when necessary.
- e) Sufficient information, instruction and training for employees, contractors and voluntary helpers to carry out their work safely.
- f) Care and attention to the health, safety and welfare of employees, contractors, voluntary helpers and members of the public who may be affected by the council's activities.

3. ARRANGEMENTS AND RESPONSIBILITIES FOR CARRYING OUT THE HEALTH AND SAFETY POLICY AT WORK

The ultimate responsibility for health and safety rests with the Councillors of Frampton Cotterell Parish Council. Day to day responsibility for implementation is delegated to the Clerk. However, all employees have responsibility for health and safety matters during their day to day duties.

3.1. The Clerk will:

- a) Keep informed of relevant Health and Safety policy legislation.
- b) Advise the Parish Council on the resources and arrangements necessary to fulfil the Parish Council's responsibilities under the Health and Safety at Work Policy.
- c) Make effective arrangements to implement the Health and Safety at Work Policy.
- d) Ensure that matters of Health and Safety are discussed as required at meetings of the Parish Council.
- e) Ensure that regular risk assessments are carried out of working practices, with subsequent consideration and review of any necessary corrective/protective measures.
- f) Maintain a file of risk assessments.
- g) Make effective arrangements to ensure those contractors or voluntary helpers working for the Parish Council comply with all reasonable Health and Safety at Work requirements. All contractors will be given a copy of the Parish Council's Health & Safety at Work Policy.
- h) Ensure that work activities by the Parish Council do not unreasonably jeopardise the health and safety of members of the public.
- i) Maintain a central record of notified accidents.
- j) When an accident or hazardous incident occurs, take immediate action to prevent a recurrence or further accident and to complete the necessary accident reporting procedure.
- k) Act as the contact and liaison point for the Health and Safety Inspectorate.
- l) All incidents and / or accidents must be reported to Full Council.

3.2 With reference to contractors:

- a) The Council acknowledges that putting a service out to tender is not a mechanism for transferring all the health and safety risks and responsibilities to a contractor.

b) The Council, as Client, will ensure that:

- i. Whoever carries out the work is able to do so in a way that controls health and safety risks.
- ii. They will not force conditions or systems upon the service provider that put workers or the public at unacceptable risk.

c) From conception to conclusion, the Council acknowledges it has a duty to ensure that the contract is specified and carried out in a manner that ensures, so far as is reasonably practicable, the health and safety of contractors, employees and members of the public, including service users.

d) The Council will test any prospective service provider's ability to deliver a safe and healthy operation.

e) The Council will ensure, through robust client monitoring, that what was required has been done and that the systems of control remain effective.

3.3 All employees, contractors and voluntary helpers will:

a) Cooperate fully with the aims and requirements of the Health and Safety at Work Policy and comply with Codes of Practice or work instructions for Health and Safety.

b) Take reasonable care for their own Health and Safety, to use appropriate personal protective equipment (PPE) and, where appropriate, ensure that appropriate First Aid materials are available.

c) Take reasonable care for the Health and Safety of other people who may be affected by their activities.

d) Not intentionally interfere with or remove safety guards, safety devices or other equipment provided for Health and Safety.

e) Where it is noticed that safety guards, safety devices or other equipment provided for Health and Safety have been removed or tampered with, it must be immediately reported to the Clerk, and the equipment reinstated.

f) Not misuse any plant, equipment tools or materials so as to cause risks to Health and Safety.

g) Report any accidents or hazardous incidents to the Clerk.

Adopted by the Parish Council at a meeting on: 21st November 2018

Date of next review: November 2019



FRAMPTON COTTERELL PARISH COUNCIL

GRIEVANCE PROCEDURE INCLUDING BULLYING AND HARASSMENT

Employees occasionally raise issues, problems or have objections. They may have concerns with their work, or working conditions they wish to raise with the Clerk or Staffing Working Group/Committee and resolve.

This policy outlines how employee grievances should be raised and responded to.

The objectives of the procedure are: -

- To foster good relationships between the Council and its employees by discouraging the harbouring of grievances;
- To settle grievances as near as possible to their point of origin;
- To ensure the Council treats issues at work seriously and resolves them as quickly as possible;
- To ensure that employees are treated fairly and consistently throughout the Council. This also applies to those who are the subject of an allegation.

The Council reserves the right not to consider grievances that are without substance, minor or malicious or that merely repeat issues that have already been raised and addressed. Such matters will be responded to appropriately and in a way which minimises disruption to the business, still ensuring employees are treated fairly. False or malicious allegations of harassment or bullying which damage the reputation of a fellow employee will not be tolerated. Where it is clear that a grievance has been raised with no substance or for malicious purposes, this could amount to misconduct and will be addressed in accordance with the Council's Managing Employee Performance Policy.

The matter will be deemed to have been resolved, or no further action will be taken, if six months have elapsed since the date the issue was originally raised and there has been no involvement from either party during this time. At any point the employee can decide to withdraw their grievance but they must accept that the matter may not be re-opened.

On rare occasions there may be overriding reasons why the outcome of a case may need to be made known to others as changes may need to be made. Maintaining confidentiality is always very important when handling grievances and cases of bullying and harassment.

This procedure follows the ACAS Code of Practice.

1. SCOPE

- 1.1 This procedure applies to all employees of the Parish Council.
- 1.2 Any communication from an employee which contains a problem or complaint will be treated as a potential grievance. If there is any doubt – clarify this with the employee.
- 1.3 This policy covers work related complaints and complaints of bullying and harassment as per Annex 2.
- 1.4 Grievances cannot be initiated after employment with the Council has ended. If a former employee raises a complaint/dispute the Council may consider engaging in a dialogue with the individual with the hope of resolving the issue, however this would be done outside of the remit of this Grievance Procedure. Grievances already in process when the employee leaves should be concluded. There is no right of appeal through the Council in these circumstances.
- 1.5 Matters excluded from this procedure are as follows: -
 - Appeals against salary or grade;
 - Management decisions in respect of the Managing Employee Performance Procedure i.e. a decision to convene a performance hearing, or the outcome of a performance hearing; as they have their own appeal processes
 - Income tax, national insurance matters, rates of pay collectively agreed at the national or local level;
 - Rules of the pension schemes
 - Difficult working relationships, unless they amount to bullying and harassment and/or discrimination.

2. INFORMAL GRIEVANCE PROCEDURE – STAGE 1

- 2.1 Work related issues should always be resolved informally whenever possible. Problems can escalate quickly and become extremely stressful and adversarial; undertaking a formal process can itself compound the problems.
- 2.2 Attempts to resolve the matter quickly and informally must be made before progressing to the formal procedure. Associated grievances that have been raised by both/all parties should be considered together.
- 2.3 In the interests of maintaining good working relations the employee should discuss any grievance first with the Clerk (or in the case of the Clerk, or if concerns relate to the Clerk it should be discussed with the Staffing Working Group/Committee, with a view to resolving the matter informally. The purpose of the discussion is to establish the core issue and resolve the problem. If necessary the Clerk or Staffing Working Group/Committee can support the employee by facilitating discussions between the employee and other parties.
- 2.4 The employee must work with the Clerk or Staffing Working Group/Committee to make concerted attempts to resolve the issue informally before continuing to the formal stage of this procedure. If the decision/outcome of the informal action(s) is not satisfactory to the employee e.g. they believe not all options to resolve the issue have been explored, the employee can request that the matter is considered under the formal process.

3. FORMAL GRIEVANCE PROCEDURE – STAGE 2

- 3.1 The employee must set out their grievance in writing ("Formal Grievance") and provide a copy to the Chair or Vice Chair of the Council, within 10 working days of receipt of the outcome of the informal efforts. The written statement must make clear the nature of the problem and the remedy sought.
- 3.2 Once the Council has had a reasonable opportunity to consider the information provided in the Formal Grievance, the Council will carry out an appropriate investigation, if required (the Chair can delegate this to the Clerk working with two or three councillors, all of which would have had no previous involvement). This does not need to be extensive in all cases, but should enable the facts to be established. It should be completed as soon as practicably possible, taking into account witness availability and evidence gathering.
- 3.3 The employee who raised the grievance and any other parties involved or the subject of the grievance should be given advance notice that an investigation is to be conducted, and any specific allegations made. The investigation members, with support from HR (see 5.5), should refer to the Council's Managing Employee Performance Procedure as necessary.
- 3.4 All evidence gathered through the investigation will be provided to the employee who raised the grievance and subject of the grievance, prior to any formal grievance meeting.
- 3.5 The employee will be invited to attend a formal grievance meeting to discuss the matter.
 - a. The employee must take all reasonable steps to attend the meeting.
 - b. Grievance meetings will take place at the earliest possible date, in consideration of any necessary investigation.
 - c. The employee has the right to be accompanied to a grievance meeting by a fellow employee or by a Trade Union representative.
 - d. If the meeting is inconvenient for either the employee or his or her companion, the meeting may be re-scheduled once. If they fail to attend without an acceptable explanation the matter may be concluded without a meeting.
- 3.6 A grievance meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the Clerk and/or Councillors time to consider the information
- 3.7 The Council with support from HR (see 5.5), will consider the grounds for the grievance and assess it on its merit. A decision will be made based on the presentations and evidence provided from all parties. Timescales for completion should be indicated when possible.
- 3.8 The Council will convey the outcome to the employee in writing (enclosing any relevant documents)

4. GRIEVANCE APPEAL PROCEDURE – STAGE 3

- 4.1 If the employee wishes to appeal against the Council's decision, they must inform the Council within ten (10) working days of receiving the decision. This would be in writing to the Chair or Vice Chair of the Council.
- 4.2 If the employee notifies the Council that they wish to appeal, the employee will be invited to attend a grievance appeal meeting as soon as practicably possible after receiving notice that the employee wishes to appeal and given five (5) working days' notice. The grievance appeal meeting will be considered by three councillors who have had no previous involvement in the grievance. HR involvement can be sought (see 5.5). The employee has the right to be accompanied to a grievance appeal meeting by a colleague or a Trade Union representative.
- 4.3 The employee must take all reasonable steps to attend that meeting. If the meeting time is inconvenient for the employee or his or her companion, the employee may ask to re-schedule the meeting once.
- 4.4 The councillors can require any additional information from any employee whom they consider may assist and will be supplied with written statements by both parties and these will be supplied in at least 3 working days in advance of the meeting.
- 4.5 After the grievance appeal meeting the employee will be informed of the Council's final decision within 5 working days. The meeting may be reconvened for this purpose. The Council's decision will be confirmed to the employee in writing.

5. NOTES ON PROCEDURE

- 5.1 **Complaints by employees (including bullying & harassment) against Council Members**
If the grievance is about a council member and they have attempted informal resolution, they must raise this immediately with the Parish Clerk or South Gloucestershire Council's Monitoring Officer, who will take the appropriate action referring to the council's Members Code of Conduct.
- 5.2 **Complaints by members of the public**
A member of the public who feels s/he has been bullied or harassed by any members or officers of a Council and have attempted informal resolution, should use the Council's official Complaints Policy.
- 5.3 **Complaints from employees against service users/customers**
Employees must tell the Clerk if they are being harassed by non-employees to ensure that reasonable steps can be taken to prevent this from happening again.
- 5.4 A copy of the Formal Grievance, a note of the decision taken at the first stage of the procedure, any notice of appeal and appeal decision will be placed on the employee's/ex-employee's personal file, together with any notes or evidence taken or compiled during the course of the procedure.

- 5.5 Advice can be sought from HR on any aspects of this policy, after a discussion the Staffing Working Group/Committee (as services are chargeable).
- 5.6 Adjustments can be made to support employees, including considering an appropriate venue for any grievance meetings.

ANNEX 1 - BULLYING AND HARASSMENT

1.0 INTRODUCTION

Bullying and harassment are both forms of behaviour that the Council absolutely will not tolerate.

The Council is committed to ensuring:

- (i) Employees are treated with dignity and respect at work.
- (ii) A working environment is provided free from bullying and harassment
- (iii) The Clerk and Members adopt high standards of staff management, in which bullying and harassment have not place
- (iv) It provides fair and effective procedures to deal with complaints
- (v) All allegations of bullying and harassment are taken extremely seriously.

1.1.2 This policy reflects the spirit in which the Council intends to undertake all of its business and outlines the specific procedures available to all employees in order to protect them from bullying and harassment. It should be read in conjunction with the Council's procedures on Equalities, Managing Employee Performance, Employee Code of Conduct and Member Code of Conduct.

1.2 Definitions (Taken from ACAS (Advisory, Conciliation and Arbitration))

1.2.1 **Bullying** Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour; an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

1.2.2 **Harassment** Unwanted conduct related to a relevant protected characteristic (as in the Equality Act 2010), which has the purpose or effect of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The protected characteristics are the grounds on which discrimination is unlawful and include - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

- 1.2.3 Employees can also complain of behaviour that they find offensive even if it is not directed at them, they do not need to possess the protected characteristic.
- 1.2.4 Employees are also protected from harassment because of:
- Perception – perceived to have a protected characteristic and harassed because of that perception.
 - Association – associated with someone who has a protected characteristic
- 1.2.4 Bullying and harassment may be carried out by an individual against an individual or involve groups of employees. It may occur face-to-face, in meetings, through written communication, including e-mail, by telephone or through automatic supervision methods. It may occur on or off work premises, during work hours or non-work time
- 1.2.5 Both bullying and harassment are behaviours which are unwanted by the recipient and offensive. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others, turnover, damage to the Council's reputation and ultimately, Employment Tribunal or other court cases and payment of unlimited compensation.

1.3 Examples of Unacceptable Behaviour

(This list is not exhaustive)

Examples:

- Spreading malicious rumours, insulting someone by word or behaviour (particularly on the grounds of a protected characteristic).
- ridiculing or demeaning someone,
- exclusion or victimisation,
- unfair treatment,
- overbearing supervision or other misuse of position or power,
- unwelcome sexual advances,
- making threats or comments about job security without foundation,
- deliberately undermining a competent worker by overloading work and/or constant criticism,
- preventing an individual's promotion or training opportunities,
- publicly commenting about an individual's performance who is not present to defend themselves or copying documents that are critical about someone to others who do not need to know.

2. Procedure for Dealing with Cases of Bullying and Harassment

The procedure (formal and informal stages) is the same as the process for dealing with grievances.

If informal resolution is not possible, the Clerk or Members may decide the matter is a disciplinary issue to be dealt with formally under the Council's Managing Employee Performance Procedure.

As with any performance issue a fair procedure will be followed. In the case of bullying or harassment the complainant and the accused must both be treated fairly.

All cases of bullying and harassment will be treated as confidential in respect of the person making the complaint and the subject of the complaint.

2.1 Informal Approach – Stage 1

Approaching the other person directly.

- 2.1.1 An employee who believes they have been bullied or harassed should ask the person to stop (either verbally or in writing) making it clear what it is they find offensive and unacceptable and the effect it is having on them. They should also warn that formal action may be initiated if the behaviour does not stop. Having an open, adult and honest discussion is often the most powerful way to address the problem.
- 2.1.2 If the employee is unable to approach the other person directly, a work colleague, HR or Trade Union representative may make an approach on their behalf, on an informal and confidential basis.

Involving the Clerk

- 2.1.3 The employee should contact the Clerk to get their advice if they are unable to resolve the matter (if the Clerk is not the person whose behaviour is the issue), or the Staffing Working Group/Committee. This can be undertaken on behalf of the employee by a work colleague, HR or Trade Union representative.
- 2.1.4 Mediation can be a good way of dealing with bullying, discrimination or harassment situations depending on the nature of the allegation. Contact HR (see 5.5) and ACAS for advice on accessing mediation.
- 2.1.5 Appropriate management action will include discussion with the person complained of as part of resolving the situation.
- 2.1.6 Employees who fail to comply with a management instruction may be dealt with in accordance with the Managing Employee Performance procedure.

3. The Legal Position and Related Issues

- 3.1 Councils have a duty of care towards all their workers and liability under common law arising out of the Health and Safety at Work Act 1974 and the Equality Act 2010. Under the Equality Act 2010, bullying and harassment may be considered unlawful discrimination.

The Protection from Harassment Act 1997 created a criminal offence of harassment with a fine and/or prison sentence as a penalty and a right to damages for the victim.

Some bullying and harassment behaviour may also be offences-in law which could lead to police involvement and/or criminal prosecution. The Council should take

appropriate legal advice, sometimes available from the Council's insurer, if such a matter arises.

- 3.2 The Council's Health and Safety policies may need to be considered – which covers prevention of violence at work when an employee is assaulted, verbally abused or threatened during the course of their employment. Employees should immediately inform the Clerk or Staffing Working Group/Committee.

Useful Contacts

- HR South Gloucestershire Council - 01454 868945
- ACAS www.acas.org.uk (08457 474747)
- Monitoring Officer at South Gloucestershire Council.
- SLCC www.slcc.co.uk



FRAMPTON COTTERELL PARISH COUNCIL

Internal Control Policy

SCOPE OF RESPONSIBILITY

The Accounts and Audit Regulations 2003 states that a Council shall be responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.

Frampton Cotterell Parish Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and property accounted for, and used economically, efficiently and effectively.

THE PURPOSE OF THE SYSTEM OF INTERNAL CONTROL

Internal control is designed to reduce financial risk to the Council.

The system of internal control is designed to ensure that the Council's activities are carried out properly and as intended. Internal controls are set by the Clerk/Responsible Financial Officer but it falls to Council members to ensure that they have a degree of control and understanding of those controls. Controls will include the checking of routine financial procedures; the examination of financial comparisons; the recording of assets and liabilities; the identification of risk and to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

PERSONNEL INVOLVED WITH THE INTERNAL CONTROL ENVIRONMENT

The Council appoints a Chairman who is responsible for the smooth running of meetings and for ensuring that all Council decisions are lawful. The Chairman signs all pages of all Full Council minutes.

All decisions made should be within the Standing Orders and Financial Regulations laid down and approved by Full Council.

The Council shall review its obligations and objectives and approve budgets for the following financial year at a meeting during December/January. This meeting will approve all recommendations and level of precept set out by the Financial Working Group for the following financial year.

Two Councillors from the Finance Working Group and signatories on the Bank Mandate must firstly check and sign all cheques and on-line payments where applicable. Signatories will also sign, date and make a note of the time these checks are made both on the expenditure sheet and the related invoice for payment/cheque.

Council receives a monthly overview of expenditure once the above procedure has taken place. All payments are made in accordance with Standing Orders and Financial Regulation.

Each quarter all Income, Expenditure, Bank Reconciliations, detailed income and expenditure report and VAT claims are checked and the budget for that financial year is monitored. These reports are submitted to Full Council at its next meeting for approval.

At the end of the Financial Year, the Chairman shall ensure that totals are reconciled to the year-end bank statement and shall sign the associated year-end correspondence.

ELECTRONIC PAYMENTS

The legislative reform (Payments by Parish Councils, Community Councils and Charter Trustees) Order 2014 came into effect on 12 March 2015. This legislation enabled Parish Councils to take an overall approach to how it controls its money as well as taking advantage of modern technology including internet banking. Dual authorisation would still be required which does not require cheques. Authorisation

Authorisation is performed by one staff member who enters the payment and one councillor from the bank mandate who checks the payment before the payment is subsequently authorised and paid by different member of staff to the one that entered the payment.

CLERK TO THE COUNCIL AND RESPONSIBLE FINANCIAL OFFICER

The Council has a Clerk to the Council who acts as the Council's advisor and administrator. The Deputy Clerk/Responsible Financial Officer is responsible for administering the Council's finances which are overseen and reported to Council by The Clerk. The Deputy Clerk is responsible for the day to day compliance with laws and regulations that the Council is subject to and for managing risks. The Clerk ensures that the Council's procedures, control systems and policies are maintained.

The duties of the Deputy Clerk/Responsible Financial Officer are laid down in a job description which is reviewed each year.

The Responsible Financial Officer submits all the requested information to the External Auditor by the required date.

The Responsible Financial Officer arranges for the public notices to be displayed.

The Responsible Financial Officer will retain all relevant documents related to the financial year for 7 years which includes (Annual Return, VAT Returns, PAYE/NI information, Public Notices, Fixed Asset Register, Risk Assessments, Accounts and relevant supporting information).

INTERNAL AUDITOR

The Council appoints an Independent Internal Auditor who will report to the Council on areas including adequacy of its Records, Procedures, Systems, Internal Control, Regulations, Risk Management and Reviews.

The effectiveness of the internal audit is reviewed every three years and the Council agrees to the appointment of the Internal Auditor.

The Internal Auditor inspects the accounts during the current financial year and at the year-end prior to the completion of the Annual Return Statement to the External Auditor.

The Internal Auditor will write a separate report to the Council detailing any findings they might have. This report is also copied to all Councillors and discussed by Full Council as an agenda item. Recommendations from the report are recorded in the Council minutes.

EXTERNAL AUDIT

The Councils' External Auditors, submit an External Auditors Report which is presented to the Council. Any matters raised on the Annual Return Statement are discussed by the Council with any necessary actions duly recorded.

REVIEW OF EFFECTIVENESS

The Council has responsibility for conducting regular reviews of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work and any issues identified by Full Council, The Clerk to the Council or the Deputy Clerk/Responsible Financial Officer, Internal Auditor and the Councils' External Auditor.

Reviewed by Full Council on 23rd May 2018

Minute no: 1197

Next review due within 12 months



FRAMPTON COTTERELL PARISH COUNCIL

Job Share Scheme

1.0 Introduction

- 1.1 Job-sharing can bring a range of benefits for employees and employers alike. Two people can bring a wider range of skills and experience to a role and can contribute new ideas and working approaches. Job-sharing has also been shown to improve retention and absence cover. Nevertheless, job-sharing does require a high degree of organisation and commitment on all sides.
- 1.2 The council supports job-sharing as part of its equal opportunities policy, its flexible approach to recruitment and retention of suitably qualified employees and its family friendly policies. The scheme will apply in principle to all permanent posts.

2.0 What does Job Sharing involve

- 2.1 Job Share is the division of duties of a post, typically between two employees on an equal basis. The post is covered by the employees for the whole of the working week.
- 2.2 There is continuity between the post holders and in some cases, a degree of overlap to ensure that job-sharers can exchange information or carry out some work together.
- 2.3 Each job-share employee has the same rights and obligations as full-time employees with certain benefits shared, pro-rata to hours worked.
- 2.4 Appointment to the post is made on condition that, in the event of any difficulty in filling one part of the post, the council is able to change the post back to a full-time post (or the full total hours if not full time).
- 2.5 The option of job-sharing will be considered in the following circumstances:-
- Vacancy or restructuring;
 - Request by an existing employee to job-share his/her post;
 - Request by an employee who is on maternity/adoption leave or shared parental leave to return to their post on a job-sharing arrangement.
- 2.6 The council's supports job-sharing on the basis that it will not lead to any loss of efficiency or decrease in the level of service provided. There may be operational

reasons for excluding certain posts from being open to job-share, subject to a decision by the Parish Clerk or Staffing Committee in the case of the Clerk. Advice is available from HR.

3.0 Procedure

The following factors should be considered:-

- 3.1 **The Job** - consider the complexity of the job, the level of responsibility, the degree of involvement with the public, the extent of individual case work, the requirement for continuity in terms of knowledge and availability, handover periods and/or other supervisory control arrangements.
- 3.2 **Supervisory Responsibilities** - posts with supervisory responsibilities can be considered for a job-sharing arrangement, provided it is operationally sustainable.
- 3.3 **Employees** - a successful job-sharing arrangement depends on **both** of the job-sharers' commitment and flexibility to ensure any operational problems are overcome.
- 3.4 **Staffing Structure** - consider whether or not having a number of job-share and/or part-time staff within a section will adversely affect the provision of services. If an employee asks to job-share his/her existing post and the decision is to reject the request for operational reasons, the reasons must be put in writing to the employee. For vacancies, decide before advertising about the suitability of the post for job share and specify on the advert.

4.0 Terms and Conditions

- 4.1 **Hours/Days of Work** - normal arrangements are the full-post hours will be split 50/50, variations to this are fine as long as the agreed split meets the needs of the service i.e. one job-sharer could work 3 days and the other 2 days; split days every week, with one job-sharer working mornings and the other afternoons; three days on one week, two days on the following week.
- 4.2 **Rates of Pay** - job-sharers are paid pro-rata to the full-post salary. (However, it is possible for job-sharers to receive different rates of pay if they are appointed on a different incremental point or work a different number of hours).
- 4.3 **Work Outside Normal Hours** - as far as possible, arrangements for any work outside normal working hours is shared.
- 4.4 **Annual Leave** - annual leave is shared on a pro rata basis. The other job share partner may be required to work additional hours, and be paid, to cover for lengthier annual leave periods as directed by the Clerk.
- 4.5 **Bank Holidays** - all job-sharers have a pro-rata entitlement to bank holidays included in their leave entitlement. However, the preferred option for ensuring that these

holidays are shared equally, is for the manager to agree with job-sharers an arrangement where in each week that public or extra statutory holidays occurs, both sharers work equal numbers of hours and have equal holidays (e.g. if one bank holiday they each work two days, if bank holiday plus extra statutory day they each work one and a half days that week).

- 4.6 **Doctors/Dentists appointments** - as most job-shares will involve employees working only part of a week, managers should insist that where possible, doctors, dentist, hospital appointments etc. are arranged in the employee's own time and do not involve time off work.
- 4.7 **Absence cover** - if one job-sharer is absent or one half of a job-share post is vacant for a significant period, the remaining partner can be asked to work additional hours to cover.
- 4.8 **Vacancy** - in the event that one of the job-sharers leaves the post, the following procedure applies:-
- The remaining job-sharer may be offered the post on the full-post hours basis;
 - If the offer is not accepted, then the job-share vacancy can be advertised;
 - The remaining job-sharer will be expected to be flexible regarding changing their pattern of work, if necessary to fit in with the newly appointed job-sharer. (However, the onus will be on the new job-sharer to fit into existing patterns of working where possible);
 - If it is not possible to recruit into the vacant hours of the post having tried one external advertisement, then the post will revert to the full-post hours and the existing employee will be expected to work these hours (seek HR advice in this instance).



FRAMPTON COTTERELL PARISH COUNCIL

LEAVERS POLICY

Frampton Cotterell Parish Council is committed to managing leavers effectively as handling of an exit process can have a lasting impact on an employee's view of the council.

The Leavers Policy and procedure is legally compliant and covers notice period, long service awards for eligible employees, retirements and associated processes.

Notice periods are explicit for both the council issuing notice to employees and employees when giving notice to resign or retire.

The Council has a policy on providing references for all departing or former employees.

The Council issues leavers questionnaires and offers exit interviews to all departing employees.

For employees leaving non-voluntarily as a result of redundancy, long term illness, ill health retirement, termination of a limited term contract and performance processes, the Clerk or Staffing Working Group/Committee should seek HR advice as other policies and procedures will apply.

1. Scope

This policy applies to all employees who are leaving the council; including retiring, resigning or being dismissed.

2. Notice periods

2.1 Employer

The Council must give notice to dismiss employees in line with their contract or the Employment Rights Act 1996 – whichever is **longer**.

The statutory notice periods, based on length of continuous service are as follows:-

- Employees with one month to two years service – not less than one week's notice for each completed year of service.
- For employees with two years or more service – not less than one weeks' notice for each completed year of service up to a maximum of 12 weeks' notice.

2.2 Employee

Employees resigning or retiring must give the following notice:

Employees in probation	1 week
H13-H9	1 month
H6 & 7	2 months
H5 and above	3 months

3. Leaver Notification

3.1 On receiving notice of resignation or retirement in writing, the council should write to the employee to confirm the leaving arrangements and ensure the necessary payroll arrangements are made.

3.2 Before an employee's last day, the Clerk, or Staffing Working Group/Committee in the case of the Clerk, should ensure any council property has been returned e.g. keys, mobile phones, IT equipment and uniform, in reference to the employee contract.

3.3 The Council should check annual leave owed or excess taken and ensure the payroll adjustments are made accordingly.

4. Retirement

4.1 There is no default retirement age and employees can resign/retire (with or without pension) when they choose. There is flexibility about when you can take your pension with the option to take it at any age from 55 to 75. In the new scheme your Normal Pension Age (NPA) is linked to your State Pension Age (SPA). If you take your pension before your NPA, it will normally be reduced and if you take your pension after your NPA it will normally be increased (see Avon Pension Fund for more information regarding your personal circumstances and pension policies as well as the State Pension Age Calculator to calculate your SPA).

4.2 Early retirement

There are three early retirement scenarios that could apply to council employees – speak to the Clerk for more information (who can contact HR or payroll services):

- **Early retirement - employees aged 60 and over** Employees born before 1 April 1956 and who meet "the rule of 85" can retire and have immediate access to their accrued pension benefits. Employees born on or after 1 April 1956 or who do not meet the "the rule of 85" can retire and receive reduced pension benefits.

- **Voluntary early retirement - employees aged between 55 and 59** From April 2014 there is a new option in the LGPS where you can choose to voluntarily draw your pension on or after age 55 and before age 60 without the need for employer's permission.

- **Early retirement in the interests of the efficiency of the service - employees aged 55 and over – initiated by the council** - Such cases are infrequent and need to reflect special circumstances. Each case is considered on an individual basis.

4.3 Ill health retirement

Ill health retirement (where recommended by Occupational Health) requires confirmation from an independent Doctor, and is based on the definitions provided under The LGPS Regulations. This will be managed in accordance with the Managing Ill Health Policy.

4.4 Flexible Retirement

With council consent, you can reduce your hours and/or your pay grade when aged 55 or over and draw some or all of your pension (provided you have met the 2 years vesting period in the Scheme) whilst remaining in work. Contact the Staffing Working Group/Committee.

4.5 Former employees – release of Pension Scheme benefits on compassionate grounds

The council has approved a scheme to consider claims from former employees for the release of their deferred pension on compassionate grounds, in accordance with the LGPS Regulations. These allow councils to pay the full pension to those over the age of 55 who joined the LGPS on or after 1 April 2008 (or 50 for those who are existing scheme members as at 31 March 2008) on compassionate grounds. Each case is treated on its merits in view of the very individual nature of the ex-employee's circumstances. The council's policy is that ex-employees need to be able to show that the early payment of pension is justified on the basis that they cannot continue or resume employment as a result of their circumstances. (It should be noted that financial hardship on its own is not a sufficient reason). Requests for early pension payments from former employees on compassionate grounds should be made in the first instance to the Staffing Working Group/Committee.

4.6 For advice and support in managing any of the retirement scenarios please contact HR (in liaison with the Staffing Working Group/Committee as HR Services are provided on a charging basis).

4.7 The Council seeks to assist employees to prepare for retirement by making available a pre-retirement course – please contact the Staffing Working Group/Committee for details.

5. Long Service Award

5.1 Staff whom have completed more than 25 years continuous local government service will be awarded a cash payment on leaving Frampton Cotterell Parish Council, in recognition of their service (of which the last 20 years must be with the Parish Council). The payment will be based on the number of years times the annual rate*, minus a deduction for Income Tax and National Insurance. The amount to be reviewed every

4 years as part of the rolling programme of policy reviews. The Clerk or Staffing Working Group/Committee in the case of the Clerk, should complete and send the employee the long service leaver letter and form.

5.2 The conditions which will apply are:-

- No-one can have more than one award.
- If an employee dies in service, an award related to service at the date of death will be made to the surviving partner or in appropriate circumstances to the closest family member of the employee.
- The policy allows payment to all leavers from the council (whether they are taking up a pension or not) as long as they satisfy the service criteria as specified above.

**Annual amount to be advised by South Gloucestershire Council HR & payroll department (currently £16.01).*

6. Leaving Questionnaires and Interviews

6.1 When employees leave it is important to provide them with an opportunity to comment on their reasons for leaving. The council's policy is to offer leavers questionnaires and interviews so that feedback can be used to assess what we are doing well and how we can improve as an employer.

6.2 The council should encourage all employees who are leaving the council to complete a leaving questionnaire. However, leaving questionnaires and interviews are voluntary and the council needs to be mindful to exercise discretion where an employee is not leaving voluntarily, for example as a result of long-term illness, disciplinary or redundancy.

7 Providing References

7.1 There is no legal duty on an employer to provide references. There is a legal duty concerning the content of references for both the employee it relates to and the employer to whom it is provided. A reference must be true, accurate and fair, and not misleading. The person providing the reference could be held liable if any misleading statements are made.

7.2 References should be completed by someone who has had direct knowledge of the employee and experience of working with them.

7.3 References should provide factual details on **all** relevant information; subjective or personal opinions should be avoided.

7.4 Employee information should be checked, such as job title and dates of employment.

7.5 The reference must not contain any information the employee would not be aware of but could include details on criminal convictions. However the council must not disclose any 'spent' convictions, unless the employee has applied for a position which is excluded under

the Rehabilitation of Offenders Act 1974. For further advice contact HR (after speaking to the Clerk as HR services are chargeable).

7.6 Only current disciplinary offences should be included, if the job they are applying for is not working with children or vulnerable adults. Details of current or expired disciplinary offences can be included if a job is working with children or vulnerable adults, where expired ones involved any safeguarding concerns, stating clearly if the allegations were investigated or not. Only where an offence has resulted in formal disciplinary action and the case against the employee has been 'proven' in line with council policy and/or a sanction has been issued should this be disclosed.

7.7 References should not include information on sickness absence. The Equality Act 2010 states that details of sickness should not be revealed until a job offer has been made.

7.8 References should not be provided in cases where a settlement agreement has been reached, or if an employee is currently bringing a claim against the council. In most cases a reference will be agreed as part of the settlement.

7.9 It is important to note that references can be viewed by the employee concerned in accordance with the Data Protection Act.

7.10 All completed references should be kept on personal files.

8. Policy Review

This policy will be reviewed periodically. The Parish Council reserves the right to review and amend the Retirement Policy in the light of operational experiences and any changes to employment or pension legislation or to the Local Government Pension Scheme.



FRAMPTON COTTERELL PARISH COUNCIL

MANAGING EMPLOYEE PERFORMANCE PROCEDURE

1. INTRODUCTION

- 1.1 The Parish Council recognises that its ability to deliver satisfactory services and meet its objectives is dependent on the effective work performance of its employees.
- 1.2 The Council will carefully recruit & select staff, provide induction, one to ones and team meetings, ensure staff are clear about the standards that apply and their expected work performance levels and develop staff. The Clerk (or Councillors/from the Staffing Working Group/Committee in the case of the Clerk) will review and give feedback to staff.
- 1.3 The Council expects its employees to maintain satisfactory levels of attendance, job performance and conduct, raise any problems affecting their work and respond constructively to advice, guidance and development provided by the Clerk (or Councillors in the case of the Clerk).
- 1.4 The Council believes that the workforce is well motivated and performs well.
- 1.5 However the Council also recognises there will be situations where an employee's performance, attendance or conduct does not meet the standards required. This procedure is designed to help and encourage employees to achieve and maintain acceptable standards of conduct and job performance at all times, including the need to: -
 - Fulfil the duties specified in their contract of employment.
 - Be honest and act beyond suspicion of dishonesty.
 - Maintain high standards of integrity and conduct to protect the Council's image and reputation with the public.
- 1.6 This policy indicates the process that will normally be followed in the event of misconduct, poor attendance or poor job performance and complies with legislation (Employment Rights Act 1996, Human Rights Act 1998, the Employment Act 2002) and guidance provided by ACAS. The following list provides examples of conduct that will

normally be regarded as misconduct leading to performance management. The list is not exhaustive. These are examples only:

- a. Failure to comply with Council's rules and procedures applicable to job requirements, including those relating to attendance, time keeping, sickness absence, health and safety, uniform policies, use of council facilities, use of IT, data protection policies and financial processes;
- b. Unsatisfactory productivity due to sporadic sickness absence (especially where there are no underlying medical conditions);
- c. Failure to work to the productivity/performance standards which are expected;
- d. Failure to exercise reasonable care or skills, due to negligence or lack of effort;
- e. Deliberate failure to carry out a reasonable management instruction and insubordination;
- f. Behaviour deemed to be discriminatory, bullying or harassment;
- g. Consuming alcohol or substances outside of working hours or during working hours that affect performance or ability to work safely, or reporting to work under the influence of alcohol or other substances. If an offer of support and treatment is not taken up, or leads to little or no change then this will be dealt with under this Procedure (see Council's Managing Ill Health Procedure).
- h. Any other conduct that from time to time is defined by the Council as amounting to misconduct.

1.7 At every stage in the procedure the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made. No electronic recordings of meetings are allowed. Employees have the right to appeal against written warnings and dismissal. Employees have the right to be represented at investigation meetings, hearings and appeals (by a trade union representative or work colleague). Representatives have the right to address the hearing or appeal. They may also ask questions and present the employee's case but cannot answer questions on the employee's behalf. Should the employee fail to attend a hearing or appeal without an acceptable reason, then the Chair of the panel may proceed in the employee's absence.

1.8 Records will be kept of informal and formal stages, and stored confidentially in accordance with Data Protection legislation.

1.9 The Council will deal with any performance matters promptly, firmly, consistently and confidentially in order to demonstrate the Council takes these issues seriously.

2. SCOPE

The procedure applies to all employees of Frampton Cotterell Parish Council relating to misconduct, capability and sickness absence (with the exception of long term

absence or absences due to underlying medical condition/disabilities when adjustments have not been made which are dealt with under the Managing Ill Health Procedure). This procedure does not cover employees still within their probationary period, for these staff please refer to the probationary policy.

3. INFORMAL ACTION

- 3.1 For first instances of minor misconduct or unsatisfactory performance, the Clerk or Councillor (in the case of the Clerk) may speak to the employee informally seeking to resolve any problems quickly and confidentially.
- 3.2 In the majority of cases this meeting will only involve the employee and Clerk/Councillor, however there may be situations where it is beneficial for the employee to be accompanied at the meeting by a trade union representative or work colleague i.e. when the employee requests this as a reasonable adjustment. The Clerk/Councillor may require Human Resources to assist at the meeting. Any accompaniment would be on the clear understanding that it does not change the informal status of the meeting.
- 3.3 The informal discussion should cover the following:
 - a. explain what the conduct/capability/performance/attendance concerns are and ensure the employee understands,
 - b. investigate reasons behind these concerns, consider if there are any health or domestic issues or any workplace issues,
 - c. re-inforce standards and requirements,
 - d. consider whether any adjustments are needed to the work or workplace to enable to employee to improve,
 - e. offer support, advice and guidance and consider if any additional training or coaching is required.
 - f. state how the performance or conduct will be reviewed and over what period.

To put the meeting into context the Clerk/Councillor should make the employee aware of this Procedure and the consequences of failure to improve, i.e. possibility of formal stages.
- 3.4 If through discussions with the employee the matter is considered more serious the Clerk/Councillor should adjourn any meeting and tell the employee advice will be sought on managing the issue formally.
- 3.5 The Clerk/Councillor should keep brief notes of any agreed informal action for reference purposes and in some situations it may be useful to confirm in writing to the employee what has been decided.
- 3.6 Informal discussions can take place in scheduled one to one meetings but should not be delayed pending such a meeting. One to one discussions can be used to monitor performance & review progresses made and ensure training and support requirements are met.

- 3.7 If acceptable improvement is made then this should be communicated to the employee (in writing when the informal discussion was detailed in writing). If there is not sufficient improvement in performance or attendance then the Clerk/Councillor should take formal action.

4. FORMAL ACTION

4.1 MANAGEMENT INVESTIGATION

- 4.1.1 If informal action does not bring about the desired improvements and/or if the conduct or performance issue is considered sufficiently serious, the Clerk/Councillor will nominate an investigating officer to investigate the alleged misconduct/poor performance (likely to be Councillors from the Staffing Working Group/Committee who have had no previous involvement). HR advice should be sought at this stage if this has not already been done.

4.1.2 SUSPENSION

At this stage the Chair of the Council/Clerk/HR may consider suspending the employee on full pay if alleged misconduct is:

- a. potential gross misconduct and dismissal could be the eventual penalty;
- b. the investigation cannot proceed if the employee remains in their current job without the risk of the alleged offence being repeated and it is not possible to move the employee to another job/place of work until the process is complete;
- c. to allow the employee to remain at work would place other employees, service users, or others at risk of harm/injury
- d. there are concerns that evidence may be tampered with or witnesses put under undue pressure.

You may consider making adjustments to the working arrangements of the employee in the avoidance of suspension.

Suspension is not considered a disciplinary sanction and does not mean that any judgement has been made as to whether the employee is guilty of any misconduct – suspension would only be actioned as a last resort. It is possible that suspension may be lifted during the investigation and prior to any hearing, if the circumstances merit it.

Suspended employees will be allocated a contact officer. They must not enter their place of work or contact any clients or members of staff without prior approval from their contact officer. They will remain on their existing terms and conditions throughout the period of suspension so need to report sickness and book annual leave, even though they are not at work, via their contact officer.

4.1.3 Child Protection or Abuse against a Vulnerable Adult

If allegations involve any concerns around abuse of a child or vulnerable adult, reference should be made to the Council's Safeguarding Children and Vulnerable Adults Policy and all necessary agencies such as Social Services and the Police will be contacted, alongside all actions detailed in this Procedure.

4.1.4 Criminal charges or convictions

Where an employee is likely to be subject to criminal charges the following need to be considered:-

- i. If the employee is alleged to have committed an offence and any possible Court action is some months away, the Clerk/Chair of the Council should consider whether there is sufficient justification to take any action and if there is, a management investigation should proceed without delay.
- ii. It is imperative that there is a proper and thorough investigation, and not to rely on the fact that there is a court case pending. A request should be made to the Police or the relevant agency for any evidence they are able to release to aid in the Council's investigation.
- iii. If it is decided to convene a Performance Hearing a decision can be made on the basis of the information/evidence available. It is not necessary to wait for a Court decision before the panel reaches its decision.
- iv. If very little information is available to the Council prior to the Court hearing, then there may be no option but to defer any investigation pending the Court hearing. Suspension of the employee during this time can be considered.
- v. If an employee is detained in prison, then the Clerk must make a decision as to how to proceed depending on the length of time involved or the nature of the offence. A Performance Hearing should be held if there is sufficient evidence available to the Council, in the employee's absence (the employee can provide a written submission or send a representative to speak on their behalf).

4.1.5 The Council will set out in writing the allegations that lead the Council to contemplate taking any action against the employee, determining the principal cause of the performance issue: **sickness absence, misconduct or capability**, and confirm that a management investigation will be undertaken. The employee should be given a copy of this Procedure and kept informed throughout the process.

4.1.6 The investigator will need to carry out any investigations of alleged poor performance or misconduct without unreasonable delay to establish the facts of the case. They will conduct a fair & balanced investigation. In some cases this will require holding an investigatory meeting with the employee (with 5 working days' notice and the right to be accompanied). The employee must take all reasonable steps to attend the meeting. In others, the investigatory stage will be a collation of evidence by the investigator.

4.1.7 The investigator will need to decide if other witnesses need to be interviewed or whether other relevant information needs to be obtained e.g. from Occupational Health.

4.1.8 If any underlying medical condition is identified, consideration should be given to the Council's Managing Ill Health Procedure.

4.1.9 The investigation must be sufficient to establish whether there is genuine belief that there is a performance issue and provide reasonable grounds on which to sustain the belief on the balance of probabilities. The case does not have to be proven beyond reasonable doubt.

4.1.10 Investigation Outcome

The investigating officer will report back to the Clerk/Chair of the Council on their findings and recommendations. If the investigation determines that there is in fact no performance issue, the employee should be notified in writing (with any training, support or extra supervision or advice provided). If there is a case to answer the investigating officer should arrange a Performance Hearing.

4.1.11 If an employee's sickness absence from work is delaying any stage of the process the investigator may seek advice from Occupational Health as to whether the employee's illness prevents the employee from participating in this process. They may decide to progress the investigation and Hearing with all available information including any written submissions from the employee if unfit to attend, recognising that delays can cause further stress to all parties concerned. This decision will be communicated in writing to the employee.

4.1.12 If any issues are raised by the employee about the investigator, consideration should be given as to whether a different investigator should carry out the investigation. If the employee's issues relate to the way the investigation has been conducted these should be presented if the case proceeds to a Performance Hearing. The Panel will have to decide whether or not the issues have materially affected the outcome of the investigation.

4.2 PERFORMANCE HEARING

4.2.1 An employee will be given, in writing, no less than 5 working days' notice of the date of the Performance Hearing. They will be informed of the matters that are to be discussed and the possible consequences. A copy of this Procedure and a written submission will be provided together with the notice of the hearing date and the right to be accompanied. The written submission will include copies of any previous correspondence, any documentation relevant to the issue, witness statements, absence records or anything intended to be presented as evidence. This will be provided to all panel members and an additional copy will be sent to the employee for their representative.

4.2.2. Details of any witnesses the employee intends to call and any written submission or documents that the employee wishes to refer to at the hearing must be submitted to the Investigating Officer at least 3 working days prior to the hearing.

- 4.2.3 The Performance Hearing Panel would normally be three members of the Council Staffing Working Group/Committee, one of which is the Chair and an HR Advisor (all parties will have had no involvement in the investigation).
- 4.2.4 The Hearing will normally proceed as follows:
- The Hearing Chair will introduce Panel members and specify their roles, clarify the purpose of the hearing and state the allegations;
 - The investigating Clerk/Councillor will present the case outlining the background, any current sanctions and the performance/conduct issue. They will call any witnesses to give evidence and ask questions of their witnesses. The employee's side will then have the opportunity to question the witnesses and the investigators on the evidence presented, followed by the Hearing Panel.
 - The employee and/or their companion will present their case and any mitigating factors that they wish the panel to take into consideration. The employee or companion will call any witnesses to give evidence. The employee will ask questions of their witnesses. The investigators will then have the opportunity to question the witnesses and the employee on the evidence presented, followed by the Hearing Panel.
 - If new evidence emerges it may be necessary to adjourn the hearing to allow time to investigate it and share any further information prior to the hearing being convened.
 - Both the investigator and employee will have the opportunity to summarise the main points raised.
 - Hearing Panel adjourn to make their decision;
 - Hearing reconvened and the employee/representative informed of the decision and, if necessary, their rights of appeal.
- 4.2.5 When an employee raises a grievance during the hearing it may sometimes be appropriate to consider stopping the hearing and suspending the procedure - for example if bias/discrimination is alleged in the conduct of the hearing.
- 4.2.6 The panel will consider in private all of the relevant evidence and come to a decision as to whether or not the case is proven, this may be on the balance of probabilities. If the case is proven, the Councillor chairing the panel, advised by HR, will decide the appropriate sanction. The Council will consider any current sanctions for the purposes of determining a relevant sanction. Recently spent sanctions may also be considered, should these be related to the allegations under consideration. If the case is not proven the employee will be informed accordingly both verbally and in writing.
- 4.2.7 The Hearing outcome letter will detail the panel's conclusions concerning the allegations, any mitigating factors and the sanction imposed. It will also detail the nature of any improvement required, any support to be provided to the employee and inform the employee of the implications of any further misconduct, absence or unsatisfactory performance in the case of First or Final Written Warnings. The letter will also detail the employee's right of appeal (see section 6.4).

4.3 SANCTIONS

- 4.3.1 In determining the appropriate disciplinary action, regard should be given to the employee's previous record, the gravity of the offence, any explanation and the category of the allegation – Misconduct, Sickness Absence or Capability or Gross Misconduct.
- 4.3.2 Any sanction can also include withholding of any increment or withdrawing any salary enhancement (for first or final written warnings), an agreement to repay any sums of money owed to the council, including breaches of working hours.
- 4.3.3 Any first or final written warning will remain current for the time period specified but will remain on an employee's file thereafter for information.
- 4.3.4 The panel may decide as an alternative to dismissal to consider transferring or demoting an employee (with their agreement) to an existing vacancy, alongside the issuing of a final written warning.

SANCTION	TIME PERIOD	WHEN TO USE
First written warning	12 months from date of hearing panel	If this is the first hearing for misconduct, sickness absence or capability, normally a first written warning will be given.
Final written warning	2 years from date of hearing panel	If the employee has a current warning then further misconduct, absence or performance (whether or not connected with the earlier offence) will normally result in a final written warning, or exceptionally could result in dismissal (see below). OR if the issue is considered sufficiently serious it may be justifiable to move directly to a final written warning.
Dismissal with contractual notice.		For misconduct/unsatisfactory performance EXCEPT gross misconduct, by an employee who is under a final written warning. The employee will be dismissed with notice or pay in lieu of notice and paid for the balance of any untaken annual leave. Dismissal letter to specify the reason for dismissal.

Gross Misconduct (see section 4.3.4 below)		In cases where gross misconduct is established the employee will be summarily dismissed without notice or pay in lieu of notice.
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4.3.5 GROSS MISCONDUCT

Gross misconduct refers to situations where the employee's conduct is such that it fundamentally repudiates the contract of employment. It may justify dismissal without any previous performance warning, unless there are extenuating circumstances. The following list provides examples of conduct that will normally be regarded by the Council as Gross Misconduct, depending on the seriousness and circumstances of the offence; the list is not exhaustive. These are examples only:

- a. Theft, fraud and deliberate falsification of financial records (including falsification of pay, expense claims, qualification or attendance records).
- b. Failure to declare a criminal conviction or disqualification (where relevant to the post) on job application or once employed.
- c. Deliberate damage to Council's property and misuse of the Council's property or name.
- d. Fighting, assault or other physical violence or serious verbal abuse to another employee, client or member of the public.
- e. Serious infringement of the Council's Health and Safety procedures (including acts or omissions at work which seriously endanger the health or safety of employees, clients or members of the public).
- f. Serious incapacity, whilst on duty, due to alcohol or drugs.
- g. Serious harassment and/or discrimination.
- h. Physical or sexual abuse of clients of the Council, or failing to bring to the Council's attention any such offences committed by other council employees.
- i. Serious negligence in carrying out the required duties of the post which causes, or has the potential to cause, unacceptable loss, damage or injury.
- j. Serious insubordination, or wilfully failing to carry out reasonable instructions.
- k. Serious breach of Council's ICT policies and procedures such as deliberately viewing, downloading or transmitting pornographic, racist, or other offensive material
- l. Serious breach of Council's Data Protection policies such as unauthorised disclosure of confidential information.
- m. Sleeping on duty.
- n. Conduct bringing the Council into serious disrepute.

4.4 RIGHT OF APPEAL

- 4.4.1 If the employee wishes to appeal against the Council's decision, they must notify the Chair of the Council in writing within ten working days of receiving notice of the Council's decision. In lodging an appeal the employee must outline their grounds of appeal in writing, specifying whether it relates to the facts of the matter, new

evidence, the level of sanction imposed or the way in which the procedure was followed, and the remedy sought.

- 4.4.2 If the employee appeals, the Council will invite the employee to attend an appeal meeting before the Council's Appeal Panel. The Appeal Panel will consist of differently constituted panel of 3 members of the Council, providing that they have had no previous involvement in the matter. The employee must take all reasonable steps to attend the meeting. The employee has the right to be accompanied at an appeal meeting by a work colleague or trade union representative.

4.4.3 Arranging an Appeal

The date and time of the appeal will be organised by the Council Office. It is the responsibility of each side to prepare themselves for the appeal including arranging for any witnesses to attend. The Chair of the original panel and the employee or their representative will, where possible, submit papers for consideration by the appeals panel, at five days prior to the appeal meeting.

4.4.3 Appeal Meeting process

The Appeal Meeting will normally proceed as follows:

- i. The Appeal Meeting Chair will introduce Panel members and specify their roles, clarify the purpose of the meeting and state the sanction imposed and grounds of appeal;
- j. The Hearing Panel Chair will present the case outlining the background, any current sanctions and the performance/conduct issue. They will call any witnesses to give evidence. They will ask questions of their witnesses. The employee's side will then have the opportunity to question the witnesses and the Hearing Panel Chair on the evidence presented, followed by the Appeal Meeting Panel.
- k. The employee and/or their companion will present their grounds for an appeal. The employee or companion will call any witnesses to give evidence. The employee will ask questions of their witnesses. The Hearing Panel Chair will then have the opportunity to question the witnesses and the employee on the evidence presented, followed by the Appeal Meeting Panel.
- l. If new evidence emerges it may be necessary to adjourn the appeal to allow time to investigate it and share any further information prior to the appeal being convened.
- m. Both the Hearing Panel Chair and employee will have the opportunity to summarise the main points raised.
- n. Appeal Panel adjourn to make their decision;
- o. Hearing reconvened and the employee/representative informed of the decision.

4.4.4 The following applies at the appeal meeting:

- a. Any new evidence arising after the Hearing which is relevant to the outcome of the Hearing that the employee wishes to put forward will be considered. The original disciplinary sanction will be reviewed.
- b. The sanction originally imposed cannot be increased upon appeal.
- c. The appeal meeting will not necessarily take place before any sanction imposed by the Council takes effect. If the employee's appeal is against dismissal and the appeal

- is successful, he or she will be reinstated and continuity of employment will be preserved.
- d. The Appeals Panel has the right to call its own witnesses should it consider this to be of assistance in making its decision.
- 4.4.5 After the appeal meeting the employee will be informed of the Council's final decision within five working days; the meeting may be reconvened for this purpose. The Council's decision will be confirmed to the employee in writing.

5 GENERAL PROCEDURAL INFORMATION

- 5.1 Where performance proceedings are instigated against the Clerk, all employee relations matters are dealt with by the Council's Staffing Working Group/Committee. Any investigations and any meetings will be carried out by the Council's Staffing Working Group/Committee.

Any appeal meeting will be conducted by three (3) members of the Council, who do not sit on the Staffing Working Group/Committee.

- 5.2 Where an employee raises a grievance during this Procedure the process may be temporarily suspended in order to deal with the grievance. Where the grievance and performance cases are related it may be appropriate to deal with both issues at the same time.

5.3 Trade Union Officials

In normal circumstances no action will be taken against an Officer of a recognised trade union until the matter has been discussed with a full-time officer of that union, who may wish to be the representative.

Signed



FRAMPTON COTTERELL PARISH COUNCIL

MANAGING ILL HEALTH POLICY

1. Introduction

- 1.1 Frampton Cotterell Parish Council supports the health, safety and wellbeing of its employees. We value the contribution our employees make to providing effective, high quality services to the community. So when any employee is unable to be at work for any reason, we miss that contribution.
- 1.2 This policy explains:
- What we expect from the Clerk & Councillors when handling ill health and absence.
 - What we expect from employees who are off sick.
 - How we will support employees who are off sick in an attempt to facilitate an early return, to ensure a return is sustained and to reduce levels of absence.
 - How we will manage staff with any ill health or disability at work.
- 1.3 The Managing Ill Health policy is based on the following principles:
- 1.3.1 As a caring and responsible employer we will pay employees who are unable to attend work due to sickness in accordance with our sick pay scheme.
- 1.3.2 Regular, punctual attendance is an implied term in every employee's contract of employment – we expect all employees to take reasonable care of their own health, seek medical help when appropriate and to attend work when fit to do so;
- 1.3.3 We will support employees who have genuine reasons for absence and will treat all such sickness absence in a fair, sensitive and consistent manner.
- 1.3.4 We will balance the sensitive management of genuine sickness against the need to be publicly accountable for the costs of absence. Action will therefore be taken to address recurrent short term sickness or extended periods of absence as appropriate.
- 1.3.5 We will consider any advice given by the employee's General Practitioner (GP) on the 'Statement of Fitness for Work'. If they advise an employee 'may be fit for work' we will discuss with the employee how we can help them get back to work – for example, on a phased return, flexible hours, or altered duties.

1.3.6 We will use an occupational health adviser (subject to approval from the Staff Working Group/Committee and HR advice as costings are incurred for this service), where appropriate, to:

- a. help identify the nature of an employee's illness
- b. advise the employee and the Clerk/Councillor on the best way to support the employee to facilitate an early return to work

1.3.7 The Parish Council's Managing Employee Performance Procedure may be used if there is a failure to follow or any abuse of the Managing Ill Health Policy.

1.3.8 Frampton Cotterell Parish Council respects the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with all data protection legislation and the Access to Medical Records Act 1988.

2. Scope

The procedure applies to all employees of Frampton Cotterell Parish Council relating to ill health and/or sickness absence. However staff who have high levels of sporadic sickness absence, where no underlying medical condition/disability has been identified, or where a condition has been identified and adjustments have been made, will be dealt with under the Managing Employee Performance Procedure.

3. Notification of Absence

If an employee is going to be absent from work they should speak to the Clerk or Deputy Clerk/RFO (or the Chair/Vice Chair of the Council in the case of the Clerk) before their start time or as soon as possible after their start time. They should also:

- give a clear indication of the nature of the illness and
- a likely return date.

The Clerk/Deputy Clerk/RFO/Councillor will check with the employee if there is any information they need about their current work. If the employee does not contact the council by the required time they will attempt to contact the employee at home.

An employee may not always feel able to discuss their medical problems with the Clerk/Councillor, who will be sensitive to individual concerns and make alternative arrangements, where appropriate. For example, an employee may prefer to discuss health problems with a person of the same sex.

The employee must maintain regular contact with the council during any period of sickness lasting longer than one day so they are aware of any progress and the expected return to work date.

4. Evidence of Ill Health

Employees can use the Council self-certification arrangements for the first seven days absence. A medical certificate or 'Fit Note' from their GP is required to cover every subsequent day.

A 'Fit Note' from the employee's doctor must be sent to the Council by the eighth calendar day of absence (including Saturday and Sunday) and subsequent 'Fit Notes' need to be concurrent and forwarded to the office within 24 hours of issue by the GP.

The employee may be able to return to work before the end of the period that their GP has advised due to a faster recovery than anticipated or the GP not being aware of ways we could support the employees return. The employee will need to agree they are fit to return to work, you do not need to wait until the end of the Statement period for them to do so.

All 'Fit Notes' should be photocopied and sent to the Clerk for their records and the original note should be returned to the employee. These will be retained confidentially for the current year plus 3 years.

If absence is likely to be long term i.e. over 2 weeks, there is a shared responsibility for the Council and the employee to maintain contact at agreed intervals. This can be by telephone, e-mail/letter or home visit.

It is the employee's responsibility to ensure that all necessary sickness certification is sent to the office in line with the timescales outlined above.

5. Sickness and Leave

Employees continue to accrue annual leave as normal whilst absent due to ill health.

Employees can take annual leave during sickness absence if they wish. If they do they will be paid for annual leave not sick pay for those dates. Employees can take this option if they are in a no pay period.

If the employee is unable to take all of their statutory annual leave entitlement within a year because of illness, they can carry forward the unused **statutory** entitlement up to a maximum of 28 days including Bank Holidays.

If employees become ill whilst they are on annual leave and want to claim sick pay instead of holiday pay they must; inform the council immediately, submit a GP Certificate (Fit Note) to cover **all** periods of sickness and will be considered as absent due to ill health from the date of the GP Note.

When an employee is receiving sick pay, it will continue if a public or extra statutory holiday falls during the absence period, no substitute or extra statutory holiday will be given.

6. Return to Work Meetings

The Clerk or Councillor in the case of the Clerk will hold return to work discussions with employees after each period of absence and record this on the self certification form, to: -

- welcome the employee back to work & make them aware they have been missed.
- ask about the reasons for their sickness and how they are feeling now.
- give the employee an opportunity to raise any personal or work related problems.
- bring the employee up to date with any work issues.
- ensure the absence has been correctly certified and recorded.
- ask whether there is any further support that can be offered.
- discuss absence levels if hitting intervention points, and the consequences of any further episodes of sickness absence (see section 8, Intervention Points).

If an employee's GP has advised that they 'may be fit for work' the return to work discussion can also be used to agree in detail how their return to work might work best in practice.

7. 'May be fit for some work' & Phased Returns

If the GP advises on the 'Fit Note' that an employee 'may be fit for work' we will discuss with the employee ways of helping them get back to work. This might mean talking about a phased return to work, amended duties or additional support.

A phased return to work where recommended by a medical practitioner can allow a gradual return to work after a significant absence (usually 4 months duration) or a significant illness. It should normally last for a maximum period of 6 weeks (in the majority of cases 4 weeks will be sufficient) and generally for no less than half their contractual hours. During this period, the employee will receive their full contractual pay irrespective of the number of hours worked and there should be a gradual increase in hours within the agreed period, recorded in a return to work plan.

Other means of assisting a phased return to work may be explored, for example reviewing work hours, duties or responsibilities.

If it is not possible to provide the support an employee needs to return to work – for example, by making the necessary workplace adjustments – or an employee feels unable to return then the Statement will be used in the same way as if the GP advised that the employee was 'not fit for work'.

8. Intervention Points

The Health and Safety Executive advise that early intervention is key. The sooner action is taken, the better the chances are of an employee making a full and speedy return to work (taken from HSE website).

The Parish Council uses intervention points to help provide a consistent, fair and measured approach to managing all forms of sickness absence/ill-health. The purpose of an intervention point is to act as a prompt for Management action. However, each case should be considered on its own merits: NB when an intervention point is met or exceeded it is not an automatic reason to commence a formal process.

The intervention points are:

Sporadic Absence (within the last six months):

- Three periods of absence (irrespective of length of absence); &/or
- Ten days (working days) total absence.

Long Term Sickness absence

- Two weeks (10 working days)

9. Short Term/Sporadic Absence

If the short term absence has a pattern or is made up of a number of sporadic instances, particularly when there is no underlying medical condition, then it should be managed under the Council's Managing Employee Performance Procedure. Persistent episodes of ill health absence are not sustainable as these can be detrimental to the Council's ability to deliver its services and is costly.

If the absence has met the intervention points the Clerk/Councillor should raise this at the Return to Work meeting. The discussion should establish the reasons for the absence explain the need for improved attendance and keep written notes on the self-certification form.

If following this discussion there is no improvement in attendance and there is no underlying medical condition OR there is an underlying medical condition or disability and all reasonable adjustments/support have been provided, the absence will be managed under the Council's Managing Employee Performance Procedure

10. Long-Term Absence

Normally after two weeks absence where there is no clear indication of when the employee will return to work the Clerk/Councillor should gather all relevant information and explore the options. This could involve a review of the medical certificates, outcomes of discussions with the employee and an agreed plan of action. The council should remain focused on supporting the employee to return to work and will need to ensure regular contact is maintained.

An Initial Meeting/Home Visit could be held between the Clerk/Councillor and employee. The discussion should cover:

- confirm/clarify reason for absence.

- expected time of return to work – the date if possible.
- any measures that could be put in place to support the employee to return to work safely.
- consider the employee's ill health absence history.
- sympathise/understand the employee's situation and be flexible where possible to help facilitate a prompt resolution.
- at this meeting it may be necessary to complete an Occupational Health referral form.

Alongside this meeting, the council should consider if they need to find a replacement to cover the absence so that the service/team is not adversely affected.

11. Occupational Health Services (OHS)

The OHS is a clinical service whose main purpose is to provide advice to the council to enable it to manage the health related aspects of work. OHS advice can supplement advice from an employee's GP, therefore it is not always necessary to gain their input if the information from the GP is sufficiently comprehensive.

A referral should request information on the following areas:

- Establish if there is an underlying health condition or disability.
- The likely period of absence – and what support will be necessary when the employee returns or what measure could facilitate an earlier return.
- If the employee is/will be fit to undertake the full range of their duties and the timescales and if there are any permanent/temporary limitations on their ability to undertake some duties.
- If redeployment on health grounds should be considered.
- Whether the ill health is likely to be permanent – if so is early retirement on health grounds an option.
- If the condition is due to an industrial injury (accident, injury or illness resulting from carrying out activities at work).

OHS guidance leaflets are available to employees and the council.

OHS cannot disclose information about employee's health without the consent of the employee because it is medically based and covered by medical law. **Employees have the right to refuse disclosure of the OHS report.** If this is the case then the council will need to make decisions based on the information available to them. Reports or related papers should always be held confidentially.

The report does not make decisions for the council but should assist in making decisions from a work perspective. The employee should be involved in any discussions about proposed actions.

12. Review Meetings

Depending on the duration of the absence and advice received, a series of meetings are likely to be held throughout the absence between the council and employee.

If absence is long term in duration, there is no indication of a return date and/or medical advice has been obtained relating to fitness for the role, the review meeting should be **formal**. The employee should be given a written invite to the meeting, with **5 working days notice**, to be held at their home address or the Parish Council office. They should be given the **right to be accompanied** by a trade union representative or work colleague. HR can assist the council.

Review meetings are used to consider all the available information and options. No set number of meetings is required, the objective is to ensure that absence is managed and that all parties are kept informed.

The employee has an obligation to attend these meetings where reasonable. If they do not engage in this process then any decisions can be made by the council based on the information available to them.

13. Final Ill Health Review Meeting

Where there is no foreseeable return to work in a reasonable timeframe OR medical advice indicates an individual is not fit for their job role then a Final Ill Health Review meeting will be held with the council (and HR) and employee (as per the **formal** invite requirements listed above).

The purpose of this meeting is to consider the ability of the Parish to sustain the long term absence. If there is no foreseeable return to work in a period that can be accommodated and all reasonable measures to support a return to work have been exhausted, then the council will ultimately have to decide at this meeting whether to dismiss the employee (on the grounds of lack of capability due to ill health).

The decision to dismiss should not come as a surprise to the employee, as the potential for this to happen should have been discussed and conveyed sensitively to the employee in advance of the actual decision.

If the decision is to dismiss the employee, the decision will be confirmed in writing and include a statement regarding their rights of appeal against the decision. Contractual or statutory notice and any outstanding annual leave will be paid. The decision to dismiss should not be associated with the employee's entitlements to Sick Pay.

14. Ill Health Retirement

Where recommended by the OHS requires confirmation from an independent Doctor and is based on definitions provided under the LGPS (Benefits, Membership and Contributions) Regulations 2007.

15. Disability and Reasonable Adjustments

It does not follow that people with a disability have more absence due to ill health than others. Where periods of absence related to disability, the council needs to follow the Managing Ill Health Policy but consider the disability.

Under the Equality Act 2010 employers have a duty to make reasonable adjustments so that disabled employees are not disadvantaged in their work compared to non-disabled employees. This may mean changing the way employment is structured, the removal of physical barriers and/or providing extra support for a disabled worker.

Full consideration should be given to making reasonable adjustments. Further advice can be obtained from HR, the OHS, GP or other medical professional, Access to Work or Trade Union representatives. Consideration should also be given to the Council's Equalities Policy.

16. Stress

The Council recognises that workplace stress is a health and safety issue and acknowledge the importance of identifying and reducing workplace stressors.

The Health and Safety Executive define stress as *"the adverse reaction people have to excessive pressure or other types of demands placed on them"*. This makes an important distinction between pressure, which can be a positive state if managed correctly, and stress which can be detrimental to health.

Absence that appears to be due to a stress related illness should be considered for action as soon as possible and as early as **two weeks** after the start of absence. The council should consider the GP advice, if OHS advice is required, conduct stress risk assessments, and seek **HR advice** (see section 21) where stress is identified.

17. Alcohol & Substance Abuse

The Council will respond to alcohol, drug or substance misuse problems as primarily a health issue, recognising that an employee with a problem can put themselves, their colleagues and the public at risk of harm. It is the Council's intention, to respond positively to these issues and to encourage staff with problems to seek help and advice and reasonable time off will be given.

However, employees must not consume alcohol or use substances outside of working hours that may affect their performance or their ability to work safely. Neither must they report for work if they may be under the influence of alcohol or other substances that may affect their performance and if they do, the Clerk/Councillor will send them home and consider action under the Council's Managing Employee Performance Procedure

The consumption of alcohol by employees during working hours is not allowed. The possession, use, production or supplying (selling or giving) of illegal drugs is forbidden and

will be reported to the police in line with the Council's statutory responsibility under the Misuse of Drugs Act 1971.

Serious incapacity due to alcohol, drugs or other substances whilst on duty will be regarded as gross misconduct and dealt with under the Council's Managing Employee Performance Procedure.

If the offer of support and treatment is not taken up, or leads to little or no change, and there is little or no evidence showing change, then the Council may deal with the issue under the Managing Employee Performance Procedure.

18. Absence due to disability/maternity

Absences relating to the disability of an employee or to pregnancy will be kept separate from sickness absence records. The Council refers employees to our Equalities Policy.

19. Sick Pay

Employees on Casual Contracts are entitled to Statutory Sick Pay only.

The sick pay scheme is intended to supplement any statutory sickness benefits in order to maintain normal pay during defined periods of absence because of sickness, disease, accident or assault.

Employees are entitled to receive sick pay for the following periods:

LENGTH OF SERVICE	Full Pay Period	Half Pay Periods
During 1 st year of service:	1 month's full pay and	2 months half pay
During 2 nd year of service:	2 months full pay and	2 months half pay
During 3 rd year of service:	4 months full pay and	4 months half pay
During 4 th & 5 th year of service:	5 months full pay and	5 months half pay
After 5 year's service:	6 months full pay and	6 months half pay.

The Council shall have discretion to extend the period of sick pay in exceptional circumstances.

Sick pay is calculated based on sickness absence episodes over the preceding 12 months.

In the case of full pay periods, sick pay will be an amount which when added to Statutory Sick Pay entitlements will equal normal pay. In the case of half pay periods, sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay entitlements, so long as the total sum does not exceed normal pay.

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

An employee is entitled to the social security benefits for calculating sick pay the basis that the employee has followed:

- a. the conditions for reporting sickness as required by the employer
- b. the claiming of benefits
- c. the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.

Sick pay may be suspended if an employee abuses the sickness scheme; or is absent on account of sickness due or attributable to:

- deliberate conduct prejudicial to recovery, the employee's own misconduct or neglect
- active participation in professional or dangerous sports
- injury whilst working in the employee's own time, on their own account, for private gain or whilst working for another employer.

The Council shall advise the employee of the grounds for suspension of sick pay and the employee shall have the right of appeal to the Chair of Frampton Cotterell Parish Council. If the Council decides that the grounds of suspension of sick pay were justified then the employee shall forfeit the right to any further payment in respect of that period of absence.

20. Monitoring

Monitoring is an important part of sickness absence. In order for reports to be issued to the council, it is important that all absence from the workplace is reported. All signed absence forms should therefore be returned as soon as possible after the employee's return to work interview has been conducted.

The sickness monitoring system will also enable the Clerk/Councillors to identify individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However you should view such notifications as a secondary means of identifying problems or potential problems.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality. Employees are entitled to access their records on request.

21. Human Resources

Human Resources are available to provide advice and guidance to support the council in dealing with absence due to ill health fairly, sensitively and within policy requirements so as to enable them to minimise non attendance levels. HR Services are chargeable so should be discussed with the Staffing Working Group/Committee in the first instance. HR are available to attend any meetings; particularly formal ones and prepare and issue written records/letters as necessary.

13. Review

This policy and the supporting procedural guidelines will be reviewed periodically.



FRAMPTON COTTERELL PARISH COUNCIL

Probationary Policy

1. INTRODUCTION

- 1.1 A probationary period enables both parties in a contract of employment to assess the suitability of an individual to the role and the council, and to enable members of staff to be trained in the council's working methods and procedures.
- 1.2 The purpose of a probationary period is to enable the organisation to assess the skills, conduct, capability and attendance of an individual before deciding whether or not to confirm the appointment. The council is committed to providing clarity of expectation, reasonable training and support needed for new employees to meet the required standards.

2. SCOPE

- 2.1 This policy applies to any employee who is taking up their first appointment with Frampton Cotterell Parish Council, whether it is a temporary or permanent contract, or following a break in service.
- 2.2 All new employees (including those from other authorities) to the Council are subject to the Probationary Policy.

3 PROBATIONARY POLICY & PROCEDURE

- 3.2 The probationary period is usually 6 months and a probationary report must be completed and discussed with the employee.
- 3.3 A formal Probationary Interview should be arranged where an issue has been identified and no improvement is apparent. The outcome must be confirmed in writing to the Employee and if performance is unsatisfactory, an employee will be dismissed with one weeks' notice (unless in cases of gross misconduct).
- 3.4 When a formal Probationary Interview or Appeal is required, the manager should consider seeking HR advice (in consultation with the Staff Working Group as HR services are chargeable).

4 PROBATIONARY REPORT

- 4.1 Managers should hold regular 1:1 meetings with the new employee during the probationary period and throughout employment, to ensure purpose of the role and specific objectives are clear. Records of the meetings should be kept.

4.2 The Probationary Report must be completed and the manager should discuss this with the employee to allow the opportunity to comment on feedback and to improve their performance where identified.

4.3 An appointment can be confirmed at three months if performance is satisfactory.

4.4 An appointment can be terminated if performance is unsatisfactory and unlikely to improve, and sufficient time has been allowed for improvement, equally if the employee's behaviour or actions are significantly unacceptable.

4.5 Where no improvement is apparent during the probationary period, an employee will be dismissed with one weeks' notice.

5 PROBATIONARY INTERVIEW

5.1 Where a need for improvement has been identified and discussed with the employee and no improvement is apparent, a formal Probationary Interview should be arranged by the manager as soon as reasonably possible (no later than the fifth month following the employee's start date).

5.2 The employee should be advised in writing of the interview giving a broad outline of the areas for improvement, to be discussed fully at the interview.

5.3 The line manager (or members of the Staffing Working Group in the case of the Clerk) and employee will be present at the interview. Employees have the right to be accompanied at this interview if they wish.

The line manager will chair the meeting, introducing all parties and explaining the format of the interview. They will present the background and the facts of the case to include:

- Employee details – date of commencement, post title, grade, location;
- Strengths and weaknesses identified;
- Role purpose and specific objectives;
- Induction, support and training provided & timescales;
- Guidance and assistance provided to overcome the weaknesses;
- Supervision and support provided including evidence e.g. reports from meetings;
- The line manager should be clear how performance is unsatisfactory and that unless there are mitigating circumstances, the employment will not be confirmed.

The employee is invited to make a response or put forward any mitigating circumstances. The employee and person accompanying them leave the room.

The decision is made as to whether or not the employee's employment should be confirmed, or to extend the probation period. If the decision is made to dismiss, the line manager will consider if the employee will be required to work the weeks' notice or to be paid in lieu of notice.

5.4 The outcome of the interview must be confirmed in writing detailing the employee's right of appeal.

6 EXTENSIONS

- 6.1 If the performance is unsatisfactory but is likely to become satisfactory in a reasonable timescale, the probation period can be extended by a maximum of 3 months. The improvements required should be confirmed in writing. If there is no improvement within the set timescales, the employee will be dismissed under the terms of the Probationary Policy.

7 DISMISSALS

- 7.1 If performance is unsatisfactory (whether extended or not, and unless it is gross misconduct), the employee will be dismissed with one weeks' notice. It is important that the period of notice does not cause continuous service to exceed 6 months (unless an extension has been agreed), otherwise the employee cannot be dismissed under the Probationary Policy.

8 RIGHT OF APPEAL

- 8.1 The employee has the right to appeal against a decision to dismiss under the Probationary Policy. The employee must lodge their appeal in writing to the Parish Clerk (or the Staff Working Group in the case of the Clerk) within 5 working days of the decision.
- 8.2 The appeal will be heard by members of the Staff Working Group.

Probation Report

Employee Name:				
Start Date:				
Post Title:				
Please tick appropriate box for each category. Any comments should be added, together with an explanation.				
	Very Poor	Poor	Good	Excellent
Quality of work & attention to detail				
Conduct and co-operation				
Attitude				
Progress made				
Relationship with team/manager/colleagues				
Reliability				
Attendance & time keeping				
Details of sick leave		Days		
Line Manager's Comments (Include any remarks regarding induction training and mandatory e-modules, improvements identified and actions agreed. When assessing sick leave, consider if there is an underlying medical condition disability & if reasonable adjustments have been made when assessing.)				
Final Report				
Do you recommend this employee passes their probation?		Yes/No/Consider Extension		
If "No" or an extension is required please state reasons:				
Have you discussed this report with the employee?		Yes/No		
If "No" please state reasons:				
Signed:		Date:		
Name:				
Post Title:				

Please keep completed form on the employee's file



FRAMPTON COTTERELL PARISH COUNCIL

RECRUITMENT AND SELECTION GUIDE

1. Introduction

1.1 This guide provides a framework to enable fair and effective recruitment and selection to take place. The council expects everyone involved in recruiting and selecting to have read and understood this guide in order to:

- be aware of the techniques to be objective, unbiased and professional.
- use Best Practice methods.
- promote a positive image of the council.
- make cost effective appointments.
- comply with legislation.
- be fair and consistent.
- identify and address inequality.

2. Review the Vacancy

2.1 A vacancy arising from an employee leaving is an opportunity to look at the needs of the Council and to consider if the post needs changing to match these needs, or even consider if the post is needed at all.

2.2 How do I assess if the post is needed or should be amended?

There are sources of information available that can be used to analyse the job and service needs such as; appraisals, feedback from staff, councillors and members of the public, time recording or other performance information, budget information, information on Town & Parish Council websites & circulars about Legislative Changes.

What questions should I be asking?

- Has there been a change in service need?
- Does the job still exist or only part of its responsibilities?
- Could the resource be used more effectively?
- What am I trying to achieve now and in the future?
- What does this post contribute to council objectives?

- Is there a review/restructure pending?

Do I need to fill the vacancy now?

- Is there a short-term dip in work?
- Could I reallocate the work to other staff on a temporary basis?
- Would the service be better served by appointing on a short term, limited term or agency basis?
- What are the consequences of leaving the post vacant or deleting it?

3 Prepare the Job Description

Yes I need to fill it, so what now?

3.1 All vacancies need to be approved by the Council's Staffing Working Group/Committee before they can be advertised.

3.2 You will need to write a job description specifying the job title, hours, grade, who they report to and line manage/supervise, a list of main duties and responsibilities and include a person specification detailing essential and desirable requirements. Clear selection criteria can improve the chance of making a cost-effective appointment through attracting the right people to your advert; provide clarity for applicants to enable them to state exactly how they meet the criteria, provide a common standard for shortlisting & selection; be used to provide constructive feedback to unsuccessful candidates and to demonstrate fair selection decisions in response to any complaint against the council.

3.3 Applicants will use the job description to assess their suitability and make their application, so they need to be clear and concise and free from any jargon or unnecessary requirements. You may have applicants whose first language is not English, or groups who have substantial relevant experience but fewer formal qualifications. Your aim is to be "inclusive".

- ❖ You must avoid terms like "Draughtsman" and ensure the use of his/her where appropriate.
- ❖ Avoid any words that could be considered discriminatory on the grounds of age e.g. young, energetic.
- ❖ Do not use number of years' experience or any other criteria which could be considered discriminatory on the grounds of age.
- ❖ Include & consider equivalent relevant experience, qualifications, etc...
- ❖ Do not use selection criteria which could exclude specific groups unless they are absolutely essential e.g. in most instances possession of a driving licence is not an essential criterion as alternative methods of transport are available.
- ❖ You can set a criterion for a job requiring a specific gender or ethnic group if it is a genuine occupational qualification (GOQs) – seek HR advice on this if deemed relevant.
- ❖ More flexible working arrangements may well open up a vacancy to a wider pool of potential applicants and solve recruitment difficulties.

4 Filling the Vacancy

4.1 Vacant Posts

Posts can be advertised internally and externally and available to Frampton Cotterell Parish Council employees and external applicants, other than in the following situations:-

- Where the vacant post is to be filled by an “at risk” employee or an existing council apprentice (after 9 months service).
- Where the same post has recently been advertised (within the previous three months) and suitable applicants remain available for appointment to the post.
- If restructuring is pending and posts need to be ring fenced and filled via expressions of interest. Advertising can be widened in successive stages if not filled.
- Where it is considered likely that a suitable appointment can be made from an “internal only” advertisement, having regard to the skills and experience available within the council. It is stressed that in these situations the decision is made by the Staffing Working Group/Committee and the post can be subsequently advertised externally.
- If an employee has been in a limited term post for over 12 months, was appointed to it on a competitive selection basis in response to an advert and has carried out their duties satisfactorily, the Staffing Working Group/Committee may permanently appoint the employees, without advertising.

4.2 Advertising a Vacancy & Choosing the media

Ask yourself:-

- What media are your target audience likely to be using?
- How do publication dates fit into your schedule for filling the vacancy?
- What would be cost effective?

Possible sources:

- National press.
- Local press including free papers.
- Specialist journals.
- Radio.
- Targeting schools and colleges.
- Other Websites.
- Job Boards.
- Social Media.
- Consultancies (direct sourcing or search).

4.3 Job Advert

The key to a good advert is precision and clarity. The aim should be to attract attention, not to explain every detail of the job. Think about job titles from an external point of view – would they understand what the job is from the job title?

The first couple of sentences of the advert (the “hook”) should be written so as to make the job attractive and encourage applicants to apply or request further details.

Most applicants will be looking for information on:-

- Job title.
- Location.
- The job and key tasks.
- The most important essential competencies, qualifications, skills and experience the job requires.
- Salary range.
- Hours of work (& if open to flexible arrangements).
- Benefits.
- A realistic closing date.
- Interview date.
- A unique selling feature.
- How to apply.
- An informal contact (name and telephone number).
- If the post is subject to DBS (Disclosure & Barring Service requirements)

Apply the same inclusive aspects as detailed in point 4. Avoid duplication and repetition and write in the second person (you/we) as it creates a less formal style. Avoid technical terms or jargon as it could put candidates off.

You are allowed to make encouraging statements e.g. “We welcome applications from all sections of the local community, including ethnic minorities and disabled people who are currently under-represented.”

5 Agree Method of Application

5.1 In normal circumstances a full application form should be completed. However An Expression of Interest application would be appropriate in certain circumstances e.g. for internal acting up or secondment opportunities.

6 Agree Selection Methods

6.1 Interviews should be used for all council vacancies. It is a good idea to arrange an early meeting with the other interview panel members to decide on additional selection methods if required.

6.2 Some things cannot be measured as easily by interview and the following additional selection methods could be used to assess criteria on the employee specification:-

- Presentations
- Aptitude tests.
- Written submissions.

- Work samples (e.g. in-tray exercises, word processing tests or other practical tests based on simulation of real work).
- Case studies.

6.3 Where appropriate a number of the above methods can be combined to obtain as much information about the candidates' skills and abilities. You should determine the scoring and weighting of each test.

7 Shortlisting

7.1 Shortlisting is the process of comparing the applicants against the selection criteria not against other candidates.

7.2 The panel will compare each of the application forms, initially, with a number of the **Essential Criteria** set down in the Job Description. You must record the results of your shortlisting assessment (these can then be used if candidates request feedback or if there is a complaint of unfair treatment against the council). If there are still too many applicants then a comparison against the **Desirable Criteria** should be carried out.

7.3 **School leaver age (England)** - Young people must stay in some form of education or training until they turn 18. For work opportunities they could undertake an apprenticeship or take a job combined with part-time education or training.

7.4 **Rehabilitation of ex-offenders** - As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, our council complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

7.5 What do I do if?-

- **There are no suitable candidates?**
If this is the case you may wish to re-advertise or review the vacancy.
- **If there is only one candidate who meets the essential criteria?**
It is acceptable to shortlist that candidate and make an appointment if appropriate.
- **Internal candidates?**
Should be treated in exactly the same way as external candidates. Please note that agency workers will be entitled to the same access to internal vacancies and be treated as an internal candidate, once they have achieved parity.

8 Prepare for the Selection Process and Interview

8.1 Notifying Applicants

The Clerk or Staffing Working Group/Committee will need to invite candidates to interview. If there are to be any additional tests or assessments as part of the process these should also be detailed in the letter to the candidate. The letter will ask if there are any special requirements and inform candidates of the **proof of right to work** in the UK requirements as below:

Employers have a legal responsibility (Section 8 of the Asylum and Immigration Act 1996) to ensure that an individual has the right to work in the United Kingdom. All candidates shortlisted for interview are now required to produce documentation to satisfy the conditions placed upon employers by this legislation. Candidates will be required to bring documentation as specified in the Proof of Right to Work – ID of Subject Form to their interview. All documents must be originals as photocopies are not acceptable. Any offer of employment will be wholly subject to the production of this documentation.

All unsuccessful candidates should also be advised.

8.2 Points to consider

- Previous criminal convictions are not normally a reason for rejecting a person at shortlisting stage, and you should take up any queries on this at interview stage.
- The panel should comprise of people with the appropriate level of competence and knowledge to assess candidates' suitability for the role.
- Anticipate candidate's questions about the job – it is an important decision for them too.
- If a disabled person has been shortlisted they may need supportive arrangements in order to take part in the process (e.g. signers, loop system, special software, additional time or any other aids/support). This needs to be checked as early as possible after shortlisting in case you need some time to research and obtain the required support.
- All candidates should be asked the same standard questions at interview, although probing or follow-up questions can be used and/or questions about specific items on a candidate's application form, including criminal convictions and gaps in employment. The same selection exercises should be used.

9 The Selection Process and Interview

9.1 Interview structure

The main objective of an interview is to get an accurate picture of a candidate's suitability for the job. Most people are going to be apprehensive at an interview and it may help a candidate, to provide the information you want, if you can encourage them to relax. Give some background information about the job and where it fits in. Begin by asking the candidate to talk about things they will be familiar with e.g. why they have applied for your job? Ask a couple of questions and always thank them. Once you have got the interview flowing you can move into your standard and

other prepared questions. On departure ensure the candidate knows how and when they will be informed of the outcome.

9.2 Interview Questions

The following points are helpful to bear in mind:-

- The best pointer to future performance is how someone has performed in the past, so it is a good idea to ask open questions which relate to previous experiences, such as:-
 - ❖ Tell me about.....
 - ❖ Describe a time when....
 - ❖ Give me an example of your involvement in....
 - ❖ Why did you....
 - Prepare sufficient questions to cover all your selection criteria that you have decided are measurable at interview (this may be supplemented by other selection tests).
 - **Move on** if after having been given sufficient opportunity the candidate does not have the depth of knowledge on a particular question or range of questions (e.g. on a technical area).
 - **Use silence** after a question to give the candidates time to think and again after the initial answer to encourage them to say more.
 - Be wary of asking **multiple questions** (e.g. when did you do the project, how long did it take and what was your role in it?). This can risk creating confusion.
 - Avoid **leading questions** i.e. those that appear to be looking for a particular answer (e.g. Do you get on well in a team?).
 - **Take notes** of how well a candidate has responded to each question in relation to your model answer. You should use a separate assessment form (please see example form) for each candidate at interview. Notes are essential to making an objective comparison of the candidate's performance, and may have to be made available in the light of a complaint.

9.3 Making the decision

- ❖ Using all the information acquired by each panel member on their assessment forms and interview notes, candidates should be evaluated objectively against the specific selection criteria.
- ❖ Where a unanimous decision cannot be reached, the panel should consider looking again at the selection criteria against each candidate to see if there is a clear choice.

Points to consider:

- Interviewers need to be especially careful to ensure all candidates are treated fairly and feel they have had every opportunity to explain how their knowledge, skills and experience make them suitable for the job.

- Assessment should concentrate exclusively on which candidate achieves the best performance in relation to the selection criteria. There should be no questions about personal circumstances unless relevant to the job and asked of all the candidates.
- To ensure that any candidate with access requirements is not disadvantaged by the interview process, check that they are happy with what is provided at the commencement of the interview or any tests.
- Make your decision on the basis of merit and only then start to consider appointment checks for the successful candidate. These may include health concerns, investigating support and reasonable adaptations for a disability, discussing previous criminal convictions or processing reference enquiries and Disclosure & Barring Service checks.

10 Appointment Checks

10.1 Having decided on your preferred candidate you can offer them an appointment subject to reference, medical and other checks. Employees should not start until all of these checks have been satisfactorily completed. The purpose of which is to ensure Safer Recruitment guidelines are followed to minimise the risk to children and vulnerable adults.

10.2 References

The purpose of seeking references is to obtain objective, verifiable and factual information to support appointment decisions. References will always be obtained directly from the referee and not from the candidate. Subjective opinion, open references and testimonials i.e. "To Whom it May Concern" should not be used. These steps will help ensure that the council meets its commitment to safeguarding and promoting the safety and welfare of children, young people and vulnerable adults.

Referencing requirements are as follows:

- External candidates for permanent, temporary, casual and volunteer appointments require a minimum of two written references. At least one referee must be a present or most recent employer. If the candidate is not currently in employment and/or the last employer cannot give a reference because the organisation no longer exists, then a reference from a professional person should be sought. If the candidate has just left school/college/university the reference should be from a Headteacher, Head of Year or Head of Faculty.
- Verbal references should always be followed up by a written reference. It is essential to complete a full record of the information provided and obtain written confirmation from the referee.
- Other than in exceptional circumstances references from relatives, partners or close friends are not acceptable.

Whether in writing or by telephone, reference requests should ask for specific job related information and refer to the job summary, which should always be sent with reference requests, to help the referee understand the requirements.

If taking a telephone reference it is essential to complete a full record of the information provided, and let the referee know we will be seeking written confirmation of the reference.

10.3 Disclosure of Criminal Background

Candidates who will be working with children, young people and adults who are vulnerable in a particular situation are obliged only to disclose convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). In addition employers will no longer be able to take an individual's old and minor cautions and convictions into account when making recruitment decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure as will all convictions resulting in a custodial sentence, whether or not suspended and all convictions where an individual has more than one conviction recorded. These are known as listed offences which means that the offence is included on a list of offences which are serious, relate to sexual or violent offending or are otherwise deemed to be relevant in the context of safeguarding. These offences will never be filtered from a criminal record check. The legislation also covers equivalent offences committed overseas.

It is very difficult to provide a concise summary of all 'listed offences'. Please refer to the DBS guidance and information available at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-neverbe-filtered-from-a-criminal-record-check>

10.4 Medical Checks

The successful candidate will be required to complete a medical questionnaire to send to Occupational Health for them to assess fitness for the role. The information provided is confidential to the occupational health service.

10.5 Qualifications

Where it is essential that qualifications are required to do the job, the successful candidate will be required to produce originals of relevant certificates.

Points to consider:

- ❖ Checks are carried out to ensure that there is nothing in an individual's background that could cause a problem for the council, and it is reasonable to seek to find out if there have been any:- Work performance problems; Criminal convictions or Disciplinary Problems.

- ❖ What is important is that candidates are treated fairly in the consideration of this information, and any details which give concern are discussed with them to ascertain the background and any reasons or explanations.
- ❖ The panel should consider the seriousness of the information, how recent any issues were, and the relevance of the issues to performance of the job. A judgement will need to be made as to whether it is necessary to protect the council's interests or confirm the appointment.

10 Feedback to Unsuccessful Candidates

- 11.1 All job applicants, both internal and external, should be able to receive information on why their application or interview was unsuccessful. The benefits of this are:-
- The council as an employer develops a professional reputation in promoting an open and fair recruitment process.
 - The applicants appreciate that they can learn and develop their abilities and will have confidence in the selection procedure.
 - The intention should be to provide positive, honest and accurate feedback in a sensitive and tactful manner. Use the written records to provide objective feedback about the areas the applicant scored well and perhaps not as well against other applicants whilst not divulging other scores. It may give rise to a complaint of unfair treatment by an applicant if any subjective reasons were provided such as personal circumstances.

11 New Starters

- 12.1 As soon as you have made an offer of appointment you should start planning the induction programme. Points to note are: -
- The Clerk or Staffing Working Group/Committee must ensure that induction takes place for all new starters for the first six months of an appointment.
 - Induction is best tailored to the needs of the individual e.g. those totally new to local government/Parish Councils may need more support than those transferring from another local authority or Council
- 12.2 Ensure the probation procedure is followed.
- 12.3 Make arrangements for IT requirements;
- 12.4 Ensure new starters are aware of and have access to relevant council policies and procedures.



Frampton Cotterell Parish Council

Social Media Policy

1. Introduction

1.1 This policy covers the use of social media, including social networking websites such as Twitter, Facebook, LinkedIn, and YouTube, content communities and blogs.

1.2 The policy aims to ensure that the council and its employees are protected when using social media.

1.3 Online behaviour should not differ from offline behaviour, specifically when reference is made to the council in any context. Users of social media and other websites must realise that what is published has the potential to be accessed for many years, even after the original content has been removed. The Computer Misuse Act 1990 introduced 3 criminal offences: unauthorised access; unauthorised access with intent to commit a serious offence; and unauthorised modification of computer material.

1.4 This policy must be complied with, if not disciplinary action may be taken which could ultimately result in dismissal and in reference to the Members Code of Conduct.

2. Scope

The Social Media Policy applies to all employees, members, casuals and volunteers of Frampton Cotterell Parish Council.

3. Social media in work

3.1 The council encourages interaction with its residents, partner agencies and community groups. If using social media for this purpose act responsibly, respectfully and ensure information is accurate. Remember you are representing the council so be aware of the image you are presenting. All council owned social media accounts and posts should be approved and monitored by the Clerk and Staffing Working Group/Committee. Accounts remain under the ownership of the Council at all times.

3.2 Social media should never be used in a way that breaches any other council policies or expected standards of behaviour at work.

3.3. Use extreme caution if disclosing any personal information, as this could lead to identity theft, etc.

3.4 Abide by copyright and data protection legislation.

3.5 If you break the law online you will be personally responsible.

3.6 If you are approached by the media regarding any content you have published, you must not respond until you have consulted the Clerk.

3.7 Use social media positively to project a good image. It is a powerful tool which can be hugely beneficial and provides valuable opportunities to do this. The use of social media should not involve unprofessional or inappropriate content and must not interfere with council employee's duties or performance.

3.8 Employees, members or volunteers may be required to remove content which is considered to breach this policy and any information that will bring the council into disrepute is not to be discussed, referred to or stated on any internet website or any other social media channel.

3.9 References must not be provided for employees (current or previous employees) on social networking sites as they may be attributed to the council and create a liability for both the content author and the council. Internet searches carried out for the formal assessment of candidates for recruitment are not permitted.

3.10 Council employees, members and volunteers who work with vulnerable adults or children must not use social media either to make social contact with such individuals or to accept invitations from such individuals through social media. This also applies to friends or family of those individuals.

4.Social media – personal use

4.1 It is wise to approach social networking with a degree of caution as you are joining a global community. Whilst it can have considerable benefits it can also provide access to individual's personal details from undesirable people/sources. Common sense should be applied - if you are concerned or uncertain about the appropriateness of any statement then you should not post or publish it. It is easy to publish something inadvertently that cannot be retrieved, and that can have far reaching consequences.

4.2 When you sign up for social networking websites, if identifying yourself as a council employee it is important you:

- are aware that the image portrayed could adversely affect the Council's image
- use a disclaimer
- know their obligations (policy, rules etc)
- are respectful.
- use privacy controls - take the time to set these appropriately to ensure the right level of privacy protection is applied for you (the default settings vary from network to network).

4.3 Employees, volunteers and members must make it clear when publishing content online that they are speaking on their own behalf by writing in the first person and by using a personal email address. Remember that what is published has the potential to be accessed for many years, even after the original content has been removed.

4.4 Information or remarks that will bring the council into disrepute are not to be discussed, referred to or stated on any internet website or online tool. The council recognises certain comments can amount to 'protected disclosures' under whistleblowing laws, which could give protective rights to employees – see **Whistleblowing policy**.

4.5 Publishing personal content should not be made using any Frampton Cotterell Parish Council email addresses or logos unless on a council authorised site.

4.6 When communicating with colleagues over social media sites, you are reminded to be respectful and to comply with 8.1.5 of the Code of Conduct to ensure you avoid the use of swearing or inappropriate language that has the potential to offend others.

4.7 The internet is merely a facility and the approach to dealing with unacceptable behaviour should not differ because it was carried out online. It is worth bearing in mind the following: 'Don't do anything online that you wouldn't do off line'.

4.8 Individuals (including service users, employees or their families) must not be named, described nor have their photos published on any website, without their express permission being given. However this does not apply where colleagues have an association through a social media site in their personal life.

4.9 Cyber-Bullying – means 'any use of information and communications technology to deliberately carry out hostile postings to distress another person.' As with any other form of bullying - this is not tolerated and will be dealt with under the **Grievance including Bullying and Harassment or Managing Employee Performance Policy**.

5. Other considerations

5.1 The Clerk and Staffing Working Group/Committee may need support and guidance in dealing with issues of non-compliance with this policy (HR advice can be sought following agreement from the Staffing Working Group/Committee as services are chargeable).

5.2 Regulations, protocols and procedures will need to be developed as necessary to protect the council's ICT systems.

All information on social media is subject to Freedom of Information requests so be aware of the council's liabilities when using social media at work or in your personal life.

6. Links to other policies & guides

- Grievance including Bullying and Harassment policy.
- Employee Code of Conduct.
- ICT Security policy including the Data Protection Act
- Managing Employee Performance policy.
- Whistleblowing Policy
- Member Code of Conduct

7. Useful Contacts

helpline@saferinternet.org.uk



FRAMPTON COTTERELL PARISH COUNCIL

TIME OFF WORK AND LEAVE POLICY

All employees are entitled to time off work for a number of reasons, for example, holiday, maternity, dependents leave, time off in lieu. Some of these are statutory entitlements, some are paid and some unpaid.

Allowing time off work has a number of benefits, it supports employee wellbeing, maintains/improves staff morale and provides a balance between work and personal commitments.

This policy sets out obligations when taking leave and the associated entitlements.

All leave (including time owing in lieu) must be requested in advance and authorised with the Clerk or Staffing Working Group/Committee, who can reject leave requests for a number of reasons e.g. office cover, service provision and/or a number of employees requesting leave at the same time.

Employees found to be applying for leave dishonestly will be dealt with under the Council's Managing Employee Performance Policy.

Records should be kept by the Clerk or Staffing Working Group/Committee in the case of the Clerk, of all leave taken by employees within their team.

1 Scope

- 1.1 This policy covers all Frampton Cotterell Parish Council employees. Leave due to illness is dealt with under the Managing Ill Health Policy. Specific entitlements are detailed where relevant.

2 Annual Leave

- 2.1 All permanent Council employees are provided with a paid entitlement of 30 days in a complete leave year (including eight public/bank holidays and two extra statutory days which must be taken between Christmas and New Year). After five years continuous local government service, employees receive an additional 5 days leave. All entitlements are pro rata for part-timers.

- 2.2 The leave year is the 12 month period from 1 April to 31 March.
- 2.3 The Clerk or Staffing Working Group/Committee in the case of the Clerk, will advise and confirm individual leave entitlements with their employees as soon as possible after commencing employment and where appropriate, part time staff should have their leave calculated in hours.
- 2.4 Annual leave can be taken in units of full or half days leave. Leave taken should be deducted from the total leave entitlement, remembering to deduct for bank holidays as they arise.
- 2.5 On reaching five years' local government service, a proportion of the additional five days leave is granted on the first month following the month of the service date.
- 2.6 Where an employee reduces or increases their working hours, any leave entitlement will be adjusted to the new hours worked.
- 2.7 The leave entitlement for an employee leaving or joining the council is proportionate to their completed service during the leave year.
- 2.8 When an employee leaves the Council and has taken in excess of their proportionate leave entitlement, the council will make an appropriate deduction from their final salary. When an employee leaves and has taken less than their proportionate leave entitlement, an appropriate additional payment will be made.
- 2.9 Annual leave must be taken by the end of the leave year and cannot be carried over, unless granted by the Clerk and Staffing Working Group/Committee, who may grant carryover of leave in exceptional circumstances (no more than 5 working days for full time equivalents). There are separate rules for the carry-over of leave under the Maternity and Ill Health Policies and Procedures (see 2.11).
- 2.10 Employees on maternity, adoption, paternity, shared paternity and parental leave will continue to accrue annual leave, however annual leave cannot be taken during this leave.
- 2.11 Employees continue to accrue holiday entitlement whilst absent from work due to sickness, regardless of how long the period of sickness lasts. They are entitled to take annual leave whilst on sickness leave if they wish. However, if an employee is unable to take all of their annual leave entitlement within a leave year due to illness, they are able to carry over a maximum of 28 days (the statutory entitlement), to the next leave year. See Managing Ill Health Policy for more details.
- 2.12 No more than two weeks holiday may be taken at any one time unless the Clerk and Staffing Working Group/Committee gives permission, with a return to work of at least two weeks between holiday bookings.

3 Public/Bank Holidays

- 3.1 All employees get a paid holiday on each of the 8 statutory, general and public/bank holidays as they occur and an additional 2 fixed days which will be taken between Christmas and New Year.
- 3.2 As leave entitlement includes bank/public holidays, employees who are due to work on a day that is a bank/public holiday will need to deduct their working hours for that day from their total leave entitlement. If a bank/public holiday falls on a day an employee was not scheduled to work, no deduction is necessary.
- 3.3 No substitute bank/public holiday or extra statutory day will be given if an employee is off work sick on a bank/public holiday or extra statutory day.

4 Time off in Lieu

- 4.1 Council roles may demand flexible working hours, outside the normally accepted office hours arrangements i.e. to cover evening meetings or events.
- 4.2 Additional hours worked will be accrued to be taken as single time off in lieu. This applies to all work undertaken outside the normal working week including Saturdays and Sunday work. See the Call Out Policy (*to be produced*).
- 4.3 Additional and out of hours duties are only to be undertaken by specific request of the Staffing Working Group/Committee or Clerk.
- 4.4 A timesheet recording details of hours worked should be kept up to date and verified at the end of each month by the Clerk or Staffing Working Group/Committee.
- 4.5 Hours owing must be used up within six weeks of extra time worked or will be lost, unless prior agreement is sought from the Staffing Working Group/Committee.
- 4.6 In exceptional circumstances time owing in lieu can be paid at single time rates, if agreed by the Staffing Working Group/Committee.

5 Extra Statutory Day

- 5.1 The extra two statutory day's leave is awarded to all employees. The extra statutory days are to be taken on the working days between Christmas and New Year when the offices are closed.

6 Time off for public duty

Jury Service

- 6.1 Employees called for Jury Service must inform the Clerk or Staffing Working Group/Committee in the case of the Clerk, as soon as possible and then complete a 'certificate of loss of earnings' form which they will receive from the courts. The Clerk will ensure payroll is correctly updated - the employee should notify the Clerk of any payment made by the courts so that the appropriate amount can be deducted from their salary. If such a claim cannot be made then paid leave will be granted.

Court Appearances

- 6.2 Employees who are required to attend as a witness in Court proceedings should claim for loss of earning from the Court. If such a claim cannot be made then paid leave will be granted.

Reserve Forces

- 6.3 Upon proof of membership, volunteer members of the non-regular forces can request time off for training, which the council will consider in line with 6.4 below. The using of annual leave or unpaid leave requests will be considered, the Council has discretion to agree to paid leave if essential training and subject to operational requirements. See guidance at www.gov.uk/employee-reservist for more information.

Statutory Duties

- 6.4 Any employer shall permit an employee time off for Public Duties if they are a:
- a [magistrate](#) (also known as a justice of the peace) – by law the Council must allow reasonable time off to carry out these duties. Employees can claim an allowance from the court for loss of earnings.
 - a local councillor
 - a school governor
 - a member of any statutory tribunal (eg an employment tribunal)
 - a member of the managing or governing body of an educational establishment
 - a member of a health authority
 - a member of a school council or board in Scotland
 - a member of the General Teaching Councils for England and Wales
 - a member of the Environment Agency or the Scottish Environment Protection agency
 - a member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland)
 - a member of Scottish Water or a Water Customer Consultation Panel
 - a [trade union](#) member (for trade union duties)

If you qualify, you are allowed reasonable time off to go to meetings or to carry out your duties. The time must be agreed with the Staffing Working Group/Committee beforehand who can refuse your request if it is unreasonable. A specific amount of time off is not laid down in law.

Whether your time off is classed as 'reasonable' will depend on:

- what your duties are.
- The time you need to carry them out
- The impact on service needs
- How much time off you have already had for public duties or trade union duties.

Paid leave of absence can be granted at the discretion of the Staffing Working Group/Committee, bearing in mind the requirements of their post and the nature of their public duties. HR advice can be sought (the Green Book provisions specify paid leave can be granted for public duties).

7 Time off for Medical Screening and Other Appointments

7.1 Wherever possible, visits to **GP and other routine medical appointments** should be made outside of working hours. However, when employees are able to show that these visits unavoidably occur during working hours, these will be permitted, subject to the employee making up the hours lost.

7.2 Employees having to attend **hospital, clinic appointments or work related appointments** (i.e. sight tests, Occupational Health appointments), where the timing of the appointment is beyond their control, will be able to attend these appointments during working hours with no expectation to make up the hours lost.

7.3 Reasonable paid time off will be granted for the purposes of medical screening and IVF treatment.

7.4 Reasonable paid time off will be granted for cosmetic surgery, in agreement with the Clerk or Staffing Working Group/Committee, if the medical evidence suggests that it would alleviate significant psychological or physical problems e.g. GP/surgeon letter.

8 Special Leave

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

9 Study Leave

9.1 Paid leave will be given to all employees in order to sit approved examinations applicable to local government work.

9.2 In addition, up to three days study leave per year of course, pro-rata for part-time staff and for course length, will be given either prior to sitting examinations or for the purpose of completing assessed course work or assignments required by the approved training course. In the instance where a course does not have to be completed within a set period of time, the period of study leave due is to be confirmed with the Parish Clerk.

10 Maternity leave and maternity support leave

The Council operates a maternity leave and pay scheme. Full details of eligibility, criteria and pay can be found in the Maternity leave and pay handbook.

10.1 Maternity support leave is available to employees accompanying the expectant mother as follows:

- Employees who are the child's father, the spouse, partner, civil partner or nominated carer (see below) of the expectant mother or the intended parent of a child in a surrogacy arrangement are eligible. However the employee must have been continuously employed by the Council for at least 26 weeks by the end of the 15th week before the week that the baby is due. The employee must then continue to be employed by the Council until the date the baby is born.
- **One half day paid leave** to attend a specific ante-natal session which can only be accommodated in working hours.
- **Five days with pay** shall be granted at or around the time of birth. This can be used in conjunction with paternity or parental leave.
- Any pregnancy (not just the first child).

10.2 A nominated carer is the person the mother nominates to assist in the care of the child and to provide support to the mother at or around the time of birth. This could be a partner, child's father or another nominated carer e.g. mother's mother. Only one nominated carer is eligible for maternity support leave per pregnancy.

10.3 To apply for maternity support leave, you should first agree with the Clerk or Staffing Working Group/Committee before completing the adoption support leave application form and send this to Payroll.

11 Adoption leave and adoption support leave

The Council operates an adoption leave and pay scheme. Details of eligibility, criteria and pay can be found in the Adoption leave and pay handbook.

11.1 Five days paid adoption support leave is available for the partner or nominated carer of the primary carer at or around the time of placement. This can be used in conjunction with paternity or parental leave.

11.2 A nominated carer is the person nominated by the primary carer to assist in the care of the child and to provide support to the primary carer at or around the time of placement. Only one nominated carer is eligible for adoption support leave per adoption.

11.3 To apply for adoption support leave, you should first agree with the Clerk or Staffing Working Group/Committee before completing the adoption support leave application form and give it to the Clerk to ensure the appropriate payroll updates are made.

12 Paternity leave

The Council operates a paternity leave and pay scheme. Details of eligibility, criteria and pay can be found in the Paternity leave and pay handbook.

13 Parental leave

- 13.1 This gives an employee the right to take up to 18 weeks **unpaid** leave to care for a child up to the age of 18 years old (including adoptions), providing they have one year's continuous employment. This is pro-rata for part-time employees. The right is for up to 18 weeks per child. In the case of multiple births, 18 weeks leave must be provided for each child.
- the employee is the mother or father of a child under 18 year old, or
 - the employee is the adoptive parent of a child under the age of 18.
 - the employee has acquired formal parental responsibility for a child who is under 18 years old
- 13.2 The right is an individual right, so both parents are entitled to unpaid parental leave. The parent does not have to be living with the child to qualify.
- 13.3 Parental Leave can be taken in blocks of between one and four weeks in any one year (part weeks count as one week). The parent/carer of a disabled child may take leave in single days. The leave may be taken immediately following on from Maternity/Paternity/Adoption Leave subject to agreement of the Council.
- 13.4 Requests for parental leave must be made in writing to the Clerk of Staffing Working Group/Committee with a minimum of 21 days' notice of the required start date. The employer must reply to a request for Parental Leave within a time equal to the amount of time requested.
- 13.5 A special provision can be made for fathers to take time off immediately after the birth or adoption, providing at least 21 days' notice is given before the week in which the birth or adoption is expected. The employer may not postpone this.
- 13.6 The Parish Clerk can postpone the leave where the needs of the Council make this necessary and it is reasonable, but not for more than six months and not where it would extend past the child's 18th birthday. To postpone leave, the council must write to the employee within seven days of receiving the request, explaining why the leave needs to be postponed and confirming the new start and end dates.
- 13.7 The contract of employment will continue but the employee will not be paid.
- 13.8 The Clerk or Staffing Working Group/Committee can ask for evidence, if it is reasonable, to show that:
- the employee is the parent of a child

- the employee has parental responsibility for the child.
- the child is below the age at which the right to parental leave ceases.
- in the case of a disabled child the child is entitled to disability living allowance.

13.9 If an employee tries to claim for Parental Leave dishonestly, they will be subject to the Managing Employee Performance Policy.

14 Dependants care leave

14.1 The Employment Relations Act 1999 (EReA) introduces a statutory right to **unpaid** dependants leave and defines 'dependant' and the 'unexpected or sudden problem' for which leave would be granted. Frampton Cotterell Parish Council has incorporated this statutory entitlement into Dependants' Care Leave.

14.2 The definition of a 'dependant' is:

- Spouse/partner
- Child (including adopted or foster child)
- Parent
- Someone who lives with the employee as a member of the family (excluding lodgers, friends, flatmates, etc.)
- Someone who reasonably relies on the employee for assistance e.g. a neighbour with mobility problems

14.3 This is for unexpected, sudden, unforeseen, emergency matters, not where the employee knows in advance that they are going to require time off

- Caring for dependant who is ill, injured or assaulted- emergency doctor or hospital visits, not planned, routine visits);
- Having a baby – if the birth is unexpected, DCL does not apply after the birth.
- Disruption of care arrangements i.e. your child minder does not turn up.
- Dealing with a serious incident involving a child which occurs unexpectedly during school hours.

14.4 Dependent Care Leave entitles an employee to a **maximum of five days per year paid leave**. This leave would normally be taken in blocks of 1 or 2 days at a time, but it may be taken in hours if this is agreed between the employee and the Parish Clerk. Entitlement will be per employee's leave year and pro rata for part-timers. There is no length of service requirement for the entitlement and it will apply to temporary and permanent employees.

14.5 Employees needing to take dependants care leave must telephone the Clerk or Staffing Working Group/Committee in the case of the Clerk before they are due to start work or as soon as they can

14.6 Employees still have the option to take annual leave, unpaid dependents care leave or time in lieu.

14.7 The Clerk will need to ensure the payroll is appropriately adjusted.

15 Foster carer leave

- 15.1 Employees who are foster carers are eligible to receive up to a maximum of five days paid leave per annum for the purpose of attending:
- Training events.
 - Statutory review, education planning and other meetings related to their foster carer responsibilities.
 - Supervision sessions.
- 15.2 All paid leave must be authorised by the Clerk or Staffing Working Group/Committee, so employees who are foster carers, should provide as much notice as possible of the request for leave.
- 15.3 Foster carers are also eligible for dependents care leave.

16 Compassionate leave

- 16.1 Up to five days paid compassionate leave is available to employees, with the agreement of the Clerk or Staffing Working Group/Committee and which will not be unreasonably withheld. Following the death of a dependant/close relative (see 16.2) or in the cases where a dependant/close relative has a life threatening illness. The five days do not need to be continuous.

This leave would include time to make funeral arrangements, attend the funeral and deal with the emotional difficulties associated with bereavement and serious illness.

- 16.2 A dependent/close relative is defined as a:
- Spouse/partner
 - Child (including adopted or foster child)
 - Parent
 - Someone who lives with the employee as a member of the family (excluding lodgers, friends, flatmates, etc...)
 - Brother
 - Sister
 - Parent-in-law (including parents of the employee's partner)
 - Grandparent
 - Grandchild
 - To include step-relatives where there is a close relationship with the employee.

17 Severe weather conditions

- 17.1 Where possible, staff should attend for work as agreed with the Clerk or Staffing Working Group/Committee. In exceptional circumstances flexible working arrangements such as home working can be agreed. Where staff do not attend work, agreement can be made to take the day as annual leave, unpaid leave or time in lieu.

Additionally, staff may be eligible for dependants care leave if their child or other dependants care arrangements are disrupted.

18 Unpaid leave scheme

- 18.1 This policy applies to all Parish Council employees with at least 24 months service.
- 18.2 Subsequent periods of unpaid leave can only be requested after a further 24 months have been worked. Only where exceptional compassionate circumstances apply will a subsequent request for unpaid leave be considered.
- 18.3 The Staffing Working Group/Committee will consider requests for unpaid leave of absence. Unpaid leave may be granted for:
- Caring responsibilities for children, elderly parents or other close relatives as defined under Dependants Care Leave;
 - Extended foreign travel;
 - Education or training;
 - Voluntary/community work;
 - Any other purposes that the Council considers reasonable and appropriate.
- 18.4 Unpaid leave will not be granted for the purpose of the employee taking up other paid employment, unless it is related or incidental to one of the above purposes
- 18.5 This scheme does not replace but is additional to other Council policies/procedures for paid/unpaid leave (e.g. Maternity Leave, Maternity Support Leave, Parental Leave and Dependants Care Leave.)
- 18.6 Unpaid leave of absence under the scheme is for between two and 12 months. Once agreed, the length of the period will not be varied (unless in very exceptional circumstances agreed by the Council).
- 18.7 During the absence the employee will maintain contact with the Clerk or Chair of the Council.
- 18.8 Requests for unpaid leave should be submitted in writing to the Staffing Working Group/Committee for consideration, at least three months before the absence will commence. The application will provide full details of the leave requested and its purpose.
- 18.9 It is the responsibility of the Parish Clerk, in liaison with the Staffing Working Group/Committee, to ensure that effective service provision is maintained and the approval of unpaid leave is at the Group/Committees discretion. Consideration will be given to any financial implications & any anticipated difficulties in securing a temporary replacement). If unpaid leave is not granted, the reasons, which must be reasonable, will be put in writing to the employee.

18.10 In situations where a temporary appointment is made to cover the post, the temporary employee's contract of employment will clearly state the employment terminates on the return of the substantive post holder. In some circumstances the temporary contract may specify an actual termination date.

18.11 An employee granted unpaid leave would be expected to use their annual leave entitlement pro-rata up to the commencement of the unpaid leave period.

18.12 During unpaid leave, employees will:-

- Have their continuity of service maintained for all contractual and statutory benefits, with the exception of annual leave entitlement;
- Need to make pension contributions as follows:
- An absence without pay of less than 30 days – employees must pay contributions for the period based on the pay they would normally have received;
- An absence without pay of more than 30 days – employees have the option to pay contributions for the whole period based on the pay they would normally have received. The employee has 30 days from the date they return to work to exercise this option and need to liaise with the Avon Pension Fund.

18.13 During unpaid leave employees will not:-

- Accrue entitlement to paid annual leave or be paid for statutory or extra-statutory holidays;
- Be entitled to other contractual benefits such as Maternity Leave, Maternity Support Leave, Parental Leave, Dependents Care Leave and Public Duty Leave;
- Receive any other salary, allowance or payments that form part of the employment conditions;
- Be entitled to have any of the periods of unpaid leave regarded as sick leave, even if they submit a fit note.

18.14 If the employee wishes to return to work early, at least one month's notice must be given in writing to the Parish Clerk or Staffing Working Group/Committee, stating the nature of the exceptional circumstance so that the request can be considered.

18.15 The Clerk must ensure payroll adjustments are made.

19 Review of the Policy

19.1 The Parish Council will keep under review this policy on a four year cycle utilising professional HR services.



Frampton Cotterell Parish Council Whistle-Blowing Policy

1. Introduction

1.1 This Whistle-Blowing Policy sets out the process for a protected disclosure of information to be made in situations where employees and other workers/suppliers covered by this policy have reasonable belief that there is serious wrong-doing at work, by other employees, the Clerk, councillors, suppliers, contractors or others acting on behalf of the council and that this disclosure is in the public interest.

1.2 Concerns may include the following:

- Conduct which is against the law, a miscarriage of justice or fails to meet a legal obligation;
- Financial irregularities including fraud, corruption or unauthorised use of public funds;
- Failure to observe health and safety regulations, or actions which involve risks to the public or other employees;
- Action causing major harm to the environment;
- Employees claiming benefits to which they are not entitled;
- Sexual, racial, physical or other abuse of service users;
- Other causes of malpractice, negligent, unprofessional or unethical behaviour;
- The conduct of contractors and/or suppliers to the council.
- Concealment of any of the above.

1.3 The council will support and protect whistle-blowers who raise a concern under this policy, in accordance with the safeguards contained in the Public Interest Disclosure Act.

1.4 All reported wrong-doings will be treated in absolute confidence, with every effort made by the council not to reveal a whistle-blower's identity if they so wish.

1.5 Whistle-blowers are encouraged to put their name to allegations. Anonymous allegations will be investigated but are much less powerful and are more difficult for the council to act upon.

1.6 If the council finds that allegations have been made maliciously or for personal advantage, action will be taken against an employee making the allegation in accordance with the Managing Employee Performance Policy.

1.7 The Clerk will ensure staff (including agency staff, contractors, volunteers, consultants, etc.) are aware of and follow council code of conduct, financial, health and safety and other procedures, including this Whistleblowing policy.

2. Scope

This policy applies to council employees and other workers, including freelance staff, temporary, agency & casual staff, trainers, volunteers, consultants, contractors and Members. It also applies to those employees in organisations who work in partnership with the council and suppliers.

The policy is not to be used by members of the public to pursue complaints about the council's services. These should be dealt with through the council's Complaints Procedure.

3. Raising a concern

- 3.1 The Code of Conduct for employees makes it clear that the council expects employees who have serious concerns about aspects of work, or practices which affect the integrity of the council, or the safety of its employees or the general public, to come forward and voice those concerns.
- 3.2 In most situations, an employee should raise their concerns with the Clerk or the Staffing Working Group/Committee.
- 3.3 In some situations, an employee may wish to take advice from and/or involve a colleague or Trade Union representative. They may also be present during any subsequent interview or meeting.
- 3.4 Where an issue is raised about another employee's conduct, following an initial investigation under the Whistle-Blowing policy, the matter may then be dealt with by management as part of an appropriate HR procedure e.g. Managing Employee Performance or Grievance including Bullying and Harassment Policy.
- 3.5 Employees raising concerns under this policy and the Clerk/Staffing Working Group/Committee to whom allegations are disclosed must maintain confidentiality in all areas.
- 3.6 In considering anonymous allegations, the council will take the following factors into account:
 - The seriousness of the matter raised.
 - The credibility of the allegation.
 - The likelihood of obtaining information which could confirm the allegation.

4. Response

- 4.1 Depending on the nature of the alleged wrong-doing, the council will arrange for the matter to be investigated. If urgent action is needed to secure relevant information or to protect the safety of individuals, action will be taken immediately. In some situations, the problem may be resolved without the need for an investigation.

- 4.2 The Clerk will write to the complainant within 10 working days of the concern being raised to acknowledge receipt of the concern and to indicate how the council proposes to deal with the matter.
- 4.3 The whistleblower raising the concern will be given initial feedback on the actions being taken and the likely timescales, within 20 working days of the complaint being made. Thereafter, feedback will be provided on an agreed, regular basis. Subject to any legal constraints, the council will inform the whistle-blower of the outcome of the investigation.
- 4.4 If a whistle-blower is dissatisfied with the application of this policy, they should contact the Clerk or the Staffing Working Group/Committee as appropriate.
- 4.5 The whistle-blower may contact the charity Public Concern at Work on 020 7404 6609 or email: whistle@pcaw.org.uk who will provide advice on how to proceed.

5. Support

- 5.1 The council will identify an individual to provide support and advice to the whistle-blower throughout the investigation and during any subsequent developments.
- 5.2 A contact/liaison officer will be provided to an employee under investigation as part of a whistle-blowing complaint.
- 5.3 Any concerns should be raised with the Clerk in the first instance. You could also contact the charity Public Concern at Work on 020 7404 6609 or email: whistle@pcaw.org.uk who will provide advice on how to proceed.

6. External Disclosures

- 6.1 If the whistle-blower is dissatisfied with the council's response, they could consider contacting an external organisation such as the Environment Agency, an External Auditor or the Health and Safety Executive. Advice should be taken first.
- 6.2 The council would not expect employees to make disclosures to the press.
- 6.3 The Public Interest Disclosure Act 1998 provided some employment protection rights to individuals who 'blow the whistle' outside their organisation. However, the types of information and the situations in which concerns are disclosed externally are tightly defined in the legislation. The Act only protects those making disclosures which are considered to be in the public interest.
- 6.4 In exceptional circumstances the council reserves the right to take action in accordance with the Managing Employee Performance Procedure against an employee where an external disclosure is made without first using the internal process. This would be, for example, in cases when the council finds that an employee has made allegations maliciously or for personal advantage.

Adopted by Full Council	Date:	Minute no:	Next review due:



FRAMPTON COTTERELL PARISH COUNCIL

Council Representatives on Outside Bodies Policy

1. INTRODUCTION

1.1 Frampton Cotterell Parish Council has representatives on a variety of outside bodies within the local area. Representation may be for a number of reasons such as:-

- a. The work of the outside body or group directly affecting Council business, services, land or property;
- b. The body or group specifically requesting a Council representative;
- c. It being considered key that the Council is aware of the work the body or group is undertaking due to its impact on the village, its residents or visitors;
- d. The body or group being an opportunity to liaise with other external companies or authorities in the interests of the village, its residents or visitors; or
- e. The Council having a financial interest or commitment with the body or group and/or its function.

1.2 The outside bodies generally fall into one of the following categories:-

- a. A local voluntary community group or organisation;
- b. A local charity;
- c. A larger association that has an impact on the business of the Council or village;
- d. A liaison meeting with other companies or local authorities; or
- e. A management committee/society managing either Council owned land or property, or that the Council is in some way financially connected with a body that can offer village improvements.

1.3 Frampton Cotterell Parish Council has representatives on the following outside bodies:-

- Avon Local Councils Association Area Group
- Beesmoor Road Playing Field Management Committee
- Community Engagement Forum
- Parish and Town Council Forum
- Frampton Festival Committee
- Frampton Cotterell District Community Association

2. THE ROLE OF THE COUNCIL REPRESENTATIVE

2.1 A Council representative represents the Council as a whole, rather than acting in a personal capacity. This means that the representative must always act in accordance with Council policies and procedures, the Member's Code of Conduct and bear in mind the limitations of the Council as a corporate body.

2.2 The representative allows its outside body to gain access to the expertise and knowledge of the Council and also ensures the council is kept up to date with the actions and future plans of the body. The aim is that all interested parties are working together and communicating effectively for the benefit of the village, its residents and visitors.

2.3 The representative should attend as many meetings of an outside body as they are reasonably able to and send apologies if they are not. They may ask another Councillor to substitute for them in their absence if the outside body is willing.

2.4 Council representatives will be appointed at each Annual Meeting of the Council, held in May.

3. REPORTING

3.1 In order for both the outside body and Council to benefit from the representation, it is important that regular updates are reported back to Council by the representative. The methods considered most effective for reporting back are:-

- a. Minutes of meetings – any minutes of meetings received by a representative should be sent to the Clerk for forwarding on to all Councillors, unless they are considered confidential;
- b. Updates to the Council and/or Committee or Working Group Meetings – if the representative feels there is a matter that needs to be considered by Council or a Committee/Working Group then a report should be prepared and sent to the Clerk to circulate with the agenda for the appropriate meeting; and
- c. Email updates – representatives should forward the Clerk any email updates for the outside body, for forwarding to all Councillors.

4. CHANGE OF REPRESENTATION

- 4.1 An outside body is free to request an alternate Council representative on the understanding that the replacement will be chosen by the Council, not by the outside body. Repeated non-attendance at meetings without good reason offers valid grounds for an outside body to request an alternate Council representative.
- 4.2 An outside body is free to inform the Council at any time that Council representation is no longer required, if its constitution allows it to do so.
- 4.3 A representative wishing to stand down from their role should first inform the outside body itself and then the Clerk. Where possible, the Clerk will invite another Councillor to substitute on the outside body until a representative can be formally appointed by the Council.

5. LIMITATIONS

- 5.1 A Council representative cannot commit the Council resources or support, whether financial or 'in kind' to an outside body. If anything of this nature is requested it should be brought back to the Council, through the Clerk, for consideration.
- 5.2 It is vital that the representative and the body itself understand the limitations of the Council representative.