

# **SOUTHAM TOWN COUNCIL**

## **POLICIES BOOKLET**



**Strictly non-contractual**

**Adopted July 2020  
Updated February 2023**

## INDEX

Page 4	TOWN COUNCILLOR ROLE AND DUTIES
Page 6	EQUALITY AND DIVERSITY
Page 8	COMMUNICATIONS
Page 10	COMPLAINTS/COMMENTS/COMPLIMENTS
Page 12	SICKNESS ABSENCE
Page 20	CAPABILITY
Page 27	DISCIPLINARY AND GRIEVANCE
Page 42	FLEXIBLE WORKING
Page 47	HANDLING REQUESTS FOR INFORMATION
Page 48	IT & COMMUNICATIONS
Page 54	SOCIAL MEDIA AND PRESS
Page 58	CONFIDENTIALITY
Page 59	DATA PROTECTION
Page 62	INFORMATION SECURITY
Page 63	RECORDS MANAGEMENT
Page 65	ASSET MANAGEMENT
Page 67	GRANT APPLICATION
Page 69	PLANNING
Page 72	MONUMENTS AND MEMORIALS
Page 74	STREET NAMING
Page 79	HEALTH AND SAFETY
Page 82	LONE WORKING
Page 85	RECRUITMENT
Page 86	TRAINING
Page 89	EMERGENCY CALL-OUT

## INDEX

Page 90	COVID-19
Page 92	COMPASSIONATE LEAVE
Page 94	EMERGENCY LEAVE
Page 95	FLEXIBLE RETIREMENT
Page 99	MATERNITY LEAVE AND PAY
Page 106	PARENTAL LEAVE
Page 107	PERSONAL LEAVE
Page 108	SAFEGURDING POLICY
Page 111	CLOSED CIRCUIT TELEVISION (CCTV)

## **TOWN COUNCILLOR ROLE AND DUTIES**

### **1. Aim**

1.1 To guide Councillors in their role and duties.

### **2. Responsibilities**

2.1 Responsible to The Town Council and its electors.

2.2 Responsible for effective leadership to foster the interests of their electors

### **3. Main Duties and Responsibilities that are strongly recommended**

3.1 Should participate constructively in the government of Southam Town Council and to work with other councillors towards the Council's aims

3.2 Should participate fully in the formation and scrutiny of the Town Council's policies, budgets, strategies, and service delivery including the 'Town Plan'.

3.3 Should ensure, with other councillors, that the Town Council is properly managed.

3.4 Should promote the economic, social and environmental well-being of the Town

3.5 Should represent effectively the interests of the ward for which the Councillor is elected and deal with residents' enquiries, representations and complaints.

3.6 Should represent the whole electorate; listen, and then represent the views of the whole community when discussing council business and working with outside bodies

3.7 Should take an active part in the Town Council's arrangements to build community capacity and promote measures that contribute to the Town Council's Vision.

3.8 Should prepare for meetings and be properly informed about the issues to be discussed.

3.9 Should take part responsibly in meetings and form decisions based on what is best for the community and should abide by majority decisions resolved by the Council.

3.10 Should represent the Town Council on outside bodies to which the Councillor is appointed.

3.11 Should maintain proper standards of behaviour as an elected representative of the people and to uphold the reputation of Southam Town Council.

3.12 Should participate effectively as a member of any committee or working party to which the Councillor is appointed.

3.13 Should uphold the Town Council's Standing Orders and ethical standards (ensuring that the impartiality of council staff is not compromised).

3.14 In order to function effectively as a Town Councillor it is strongly recommended that a councillor should attend induction training and further training as suggested by council.

#### **4 Related Documents**

4.1 Standing Orders

4.2 Induction pack

4.3 Code of Conduct

## EQUALITY AND DIVERSITY

### 1. Aims

- 1.1 Southam Town Council values people as individuals with diverse opinions, cultures, lifestyles and circumstances and aims to secure genuine equality of opportunity in all aspects of its activities and access to its services.
- 1.2 This policy will be implemented within the framework of current legislation and applies to job applicants, employees and contractors, residents, councillors, volunteers and users of Southam Town Council's services.
- 1.3 Southam Town Council is committed to actions to make this Equality and Diversity Policy effective. Our policy aims to ensure that no individual or group:
- Receives less favourable treatment on the grounds of race, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation
  - Is disadvantaged by conditions or requirements, which cannot be shown to be justifiable.

### 2. Responsibilities

- 2.1 As **Community representatives** Southam Town Council will:
- 2.1.1 Promote mutual understanding and respect between all sections of the community
  - 2.1.2 Build community cohesion
  - 2.1.3 Promote equality of opportunity through our work with other organisations
  - 2.1.4 Promote diversity
  - 2.1.5 Encourage participation
  - 2.1.6 Challenge all forms of discrimination within the Town and influence others to promote equality of opportunity
- 2.2 As a **Service Provider** the Town Council aims to provide services to which all residents are entitled regardless of race, gender, marital status, sexual orientation, disability, offending past, caring responsibilities, social class or age.
- 2.3 *However, two exceptions apply: -*
- 1. *Where there is a legally recognised Genuine Occupational Requirement*
  - 2. *Where there is a known risk to children or vulnerable adults.*
- 2.4 In planning and providing services, the Town Council will: -

- 2.4.1 regularly consult with residents about their needs and priorities;
- 2.4.2 allocate resources and services equitably within the criteria set by the Council's priorities and aims, paying particular attention to the needs of the most vulnerable members of our community;
- 2.4.3 take all reasonable, legal steps to ensure that services are accessible to all residents;
- 2.4.4 regularly provide information for residents about services and opportunities to encourage the widest participation possible;
- 2.4.5 treat all community members with respect
- 2.4.6 treat all suppliers and contractors fairly

2.5 As an **employer**, Southam Town Council is opposed to unfair discrimination in recruitment, employment and pay. Southam Town Council will:

- 2.5.1 Ensure that the selection, training and promotion of employees is based on the criteria of merit and ability
- 2.5.2 Promote equality and diversity in recruiting, retaining and training staff through recruitment and operational procedures to ensure that the Town Council's workforce is representative of the community it serves
- 2.5.3 In so far as office opening hours permit, the council will offer flexible, family friendly working hours consistent with current legislation

### **3. Procedures**

- 3.1 The Town Clerk will ensure that this policy is provided to all staff and councillors and available on request to residents of Southam
- 3.2 The Town Clerk will ensure that employment practices meet the requirements of this policy
- 3.3 All employees and councilors will uphold this policy
- 3.4 The policy will be reviewed annually by the Town Clerk taking into account any new relevant legislation and Town Council will be advised of any necessary changes to the policy
- 3.5 Complaints from residents or staff grievances will be a measure of the effectiveness of this policy and its implementation. Separate policies deal with these issues.

### **4. Related Documents**

- 4.1 Complaints policy and procedure
- 4.2 Staff grievance procedure
- 4.3 Southam Town Aims and Action Plan
- 4.4 20:20 Vision Action Plan

## **COMMUNICATIONS**

### **1. Aim**

- 1.1 To have effective communication with residents of Southam

### **2. Responsibilities**

- 2.1 Southam Town Council, Town Clerk and Deputy Clerk and Finance Officer

### **3. Procedure**

#### **3.1 Internal Communication**

- 3.2 Emails should not be used for debate unless authorized by the Town Mayor and Deputy Mayor; councillors should submit a 'Members Item.
- 3.3 Town Council staff will communicate with Councillors via email or phone, if a Councillor is not on email then that Councillor should agree an appropriate communication procedure with the Town Clerk

#### **4. External Communication**

- 4.1 The Town Council Newsletter is published between 4 - 6 times per year (one being the Annual Report) and distributed to every household in the town. It is also available in large print on request.
- 4.2 A brief Annual report is included in the June edition of the Newsletter and at the Annual Town Meeting
- 4.3 Opportunity is given at the start of each Town Council meeting for the Southam residents to bring their representations to the Town Council.
- 4.4 Contact details for the Town Council are widely distributed via the Newsletter, the website and the Town Councillors' poster on town notice boards to enable people to contact their Town Councillors.
- 4.5 The public can examine the Town Council's financial statement and books after they have been audited and by prior arrangement with the Town Clerk
- 4.6 Minutes of Town Council meetings are available from the Town Council offices, and are published on the Town Council Website.
- 4.7 Relevant principle authorities are informed of Town Council activities – Ward Councillors are invited to all Town Council meetings and are sent agendas, minutes, newsletters, etc.



- 4.8 Consultations, public meetings and surveys are undertaken with the electorate on local issues
- 4.9 The Town Council has a procedure for alerting residents of significant planning applications.

#### **4. Related documents**

- 4.1 Contact list of outside bodies
- 4.2 Press procedure (To be produced)
- 4.3 Town Council Website

#### **5. Policy Review**

To be reviewed annually

## **COMPLAINTS/COMMENTS/COMPLIMENTS**

### **1. Aim**

- 1.1 To ensure that complaints, comments and compliments from members of the public regarding Town Council services are handled swiftly and courteously.

### **2. Responsibilities**

- 2.1 The Town Clerk is responsible for bringing any complaints received at the Town Council office to the attention of Council, recording receipt of the complaint and investigating/resolving where possible
- 2.2 All Councillors are responsible for bringing received complaints to the attention of Council
- 2.3 The Mayor, Deputy Mayor and immediate past Mayor will carry out further investigation if any complaint cannot be easily resolved by Council or a delegated working party or individual Councillor

### **3. Procedure**

- 3.1 Internal staff complaints are covered by the separate Employee Grievance Policy.
- 3.2 Complaints about Councillors, if they cannot be swiftly resolved through discussion, are covered by the separate Councillor's Code of Conduct procedures via Stratford District Council.
- 3.3 Complaints about the service of Southam Town Council may arrive through a variety of mechanisms, including via e-mail, via letter, via verbal report to a Councillor or Officer, via a question raised at a Council meeting. In order for the Town Council to formally consider a complaint, the complainant must be asked to put the complaint in writing, either by letter, email or completion of the complaint/comments/compliments form (unless the complaint is raised at a Town Council meeting).
- 3.4 Depending on source, and content, each complaint is passed to the Town Clerk who will acknowledge receipt of the complaint within 3 working days
- 3.5 The Town Clerk will establish further detail as required from all relevant sources by all relevant means and report back findings, within 7 working days of the Town Council meeting, to the complainant and seek the complainant's assurance that their complaint has been dealt with.
- 3.6 The complaint and means of resolving it will be included in the Town Clerk's report at the next Town Council meeting
- 3.7 Discretion must be used in complaints aired in public

- 3.8 Records of all complaints are to be kept – which in most cases will be automatic as part of the correspondence entered into.
- 3.9 Anonymous complaints will be filed but not responded to.

#### **4. Related documents**

- 4.1 Records of correspondence
- 4.2 Minutes of Town Council meetings
- 4.3 Comments/Comments/Compliments form
- 4.4 Standards and Ethics Committee Procedure for the Local Assessment of Complaints against Councillors

#### **5. Policy Review**

To be reviewed annually

## SICKNESS ABSENCE

### **1. About this procedure**

If you are taken ill or injured while at work you should report to your line manager to be given permission to leave work.

If you cannot attend work because you are ill or injured you should normally telephone your line manager as early as possible and no later than 30 minutes after the time when you are normally expected to start work. The following details should be provided:

- (a) The nature of your illness or injury.
- (b) The expected length of your absence from work.
- (c) Contact details.
- (d) Any outstanding or urgent work that requires attention.

#### **1.2 Managers should ensure that:**

- (a) Any sickness absence that is notified to them is recorded and reported to the Finance officer and Personnel Working Party;
- (b) Arrangements are made, where necessary, to cover work and to inform colleagues and clients (while maintaining confidentiality).

**1.3** You should expect to be contacted during your absence by your line manager who will want to enquire after your health and be advised, if possible, as to your expected return date.

### **2. Evidence of incapacity**

**2.1** For sickness absence of up to seven calendar days you must complete a self-certification form which is available from line manager.

**2.2** For absence of more than a week you must obtain a certificate from your doctor (a "Statement of Fitness for Work") stating that you are not fit for work and the reason(s) why. This should be forwarded to your line manager soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.

**2.3** If your doctor provides a certificate stating that you "may be fit for work" you should inform your line manager immediately. We will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This may take place at a return-to-work interview (see paragraph 8). If appropriate measures cannot be taken, you will remain on sick leave and we will set a date to review the situation.

**2.4** Where the Town Council are concerned about the reason for absence, or frequent short-term absence, the Town Council may require a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs

incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor's invoice.

### **3. Unauthorised absence**

- 3.1 Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.
- 3.2 Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.
- 3.3 If you do not report for work and have not telephoned line manager to explain the reason for your absence, your line manager will try to contact you, by telephone and in writing if necessary. This should not be treated as a substitute for reporting sickness absence.

### **4. Sick pay**

- 4.1 You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. Qualifying days for SSP are Monday to Friday, or as set out in your employment contract. The rate of SSP is set by the government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks. If you are not eligible for SSP or if your SSP entitlement is coming to an end we will give you a form SSP1 telling you the reasons.
- 4.2 You will be entitled to receive Company sick pay provided you [have completed your probationary period and] have complied with this policy in all respects. Company sick pay is inclusive of any SSP that may be due for the same period, and is paid on the following basis:

during 1st year of service	one month's full pay and 2 months half pay
during 2nd - year of service	2 months full pay and 2 months half pay.
during 3rd - year of service	4 months full pay and 4 months half pay.
during 4th & 5th - year of service	5 months full pay and 5 months half pay.
after 5-years service	6 months full pay and 6 months half pay.

- 4.3 If you have been on long-term sick leave continuously for more than a year you will not qualify for Company sick pay again until you have returned to work for a total of 27 weeks.
- 4.4 If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party, in

respect of which damages are or may be recoverable, you must immediately notify your line manager of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require. If we require you to do so, you must co-operate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to you in respect of the period of sickness absence.

- 4.5 Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of company sick pay or SSP.

## **5. Sick leave and holidays**

- 5.1 If you become sick or injured while on annual leave such that you would be unfit for work you may ask us to treat the period of incapacity as sick leave and reclaim the annual leave.
- 5.2 To be able to claim company sick pay you must notify your manager of your incapacity immediately, and the usual requirements for medical evidence in this policy will also apply, even if you are abroad.
- 5.3 If you are on sick leave you may choose to cancel any pre-arranged annual leave that would otherwise coincide with your sick leave. You should notify your manager as soon as possible that you wish to do this.
- 5.4 If your period of sick leave extends into the next holiday year, or if there is not enough time left in the current holiday year to make it practicable to take your remaining holiday entitlement, you can request to carry any unused holiday entitlement over to the following leave year. This must be agreed with the Town Clerk and the Personnel Working Party. Any annual leave not taken within 18 months of the end of the holiday year in which it accrues (whether or not you have returned to work) will be lost.

## **6. Keeping in contact during sickness absence**

- 6.1 If you are absent on sick leave you should expect to be contacted from time to time by your line manager in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.
- 6.2 If you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your line manager at any time.

## **7. Medical examinations**

- 7.1 The Town Council may, at any time in operating this policy, require you to consent to a medical examination by our Occupational Health Department or a doctor nominated by us (at our expense).
- 7.2 You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.

## **8. Return-to-work interviews**

- 8.1 If you have been absent on sick leave for more than 10 working days we will arrange for you to have a return-to-work interview with your line manager.
- 8.2 A return-to-work interview enables us to confirm the details of your absence. It also gives you the opportunity to raise any concerns or questions you may have, and to bring any relevant matters to our attention.
- 8.3 Where your doctor has provided a certificate stating that you "may be fit for work" we will usually hold a return-to-work interview to discuss any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice.

## **9. Returning to work from long-term sickness absence**

- 9.1 We are committed to helping members of staff return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see paragraph 10), we will, where appropriate and possible, support returns to work by:
- (a) obtaining medical advice;
  - (b) making reasonable adjustments to the workplace, working practices and working hours;
  - (c) considering redeployment; and/or
  - (d) agreeing a return-to-work programme with everyone affected.
- 9.2 If you are unable to return to work in the longer term, we will consider whether you are entitled to any benefits under your contract and/or any insurance schemes we operate.

## **10. Sickness absence meetings procedure**

- 10.1 We may apply this procedure whenever we consider it necessary, including, for example, if you:
- (a) have been absent due to illness on a number of occasions;
  - (b) have discussed matters at a return-to-work interview that require investigation; and/or
  - (c) have been absent for more than 10 working days

- 10.2 Unless it is impractical to do so, we will give you 7 days' written notice of the date, time and place of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.
- 10.3 The meeting will be conducted by your line manager and at least one member of the personnel working party. You may bring a companion with you to the meeting (see paragraph 11).
- 10.4 You must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified, you should immediately inform your line manager who will seek to agree an alternative time.
- 10.5 A meeting may be adjourned if your line manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 10.6 Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within 7 days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 10.7 If, at any time, your line manager considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

## **11. Right to be accompanied at meetings**

- 11.1 You may bring a companion to any meeting or appeal meeting under this procedure.
- 11.2 Your companion may be either a trade union representative or a colleague. Their details must be given to the manager conducting the meeting, in good time before it takes place.
- 11.3 Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.
- 11.4 The Town Council may at our discretion permit other companions (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.
- 11.5 A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during a meeting.



## **12. Stage 1: first sickness absence meeting**

12.1 This will follow the procedure set out in paragraphs 10 and 11 on the arrangements for and right to be accompanied at sickness absence meetings.

12.2 The purposes of a first sickness absence meeting may include:

- (a) Discussing the reasons for absence.
- (b) Where you are on long-term sickness absence, determining how long the absence is likely to last.
- (c) Where you have been absent on a number of occasions, determining the likelihood of further absences.
- (d) Considering whether medical advice is required.
- (e) Considering what, if any, measures might improve your health and/or attendance.
- (f) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure.

## **13. Stage 2: further sickness absence meeting(s)**

13.1 Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary. Arrangements for meetings under the second stage of the sickness absence procedure will follow the procedure set out in paragraphs 10 and 11 on the arrangements for and right to be accompanied at sickness absence meetings.

13.2 The purposes of further meeting(s) may include:

- (a) Discussing the reasons for and impact of your ongoing absence(s).
- (b) Where you are on long-term sickness absence, discussing how long your absence is likely to last.
- (c) Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- (d) If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
- (e) Considering your ability to return to/remain in your job in view both of your capabilities and our business needs and any adjustments that can reasonably be made to your job to enable you to do so.
- (f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.
- (g) Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return-to-work programme.

- (h) If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered.
- (i) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal.

#### **14. Stage 3: final sickness absence meeting**

- 14.1 Where you have been warned that you are at risk of dismissal, we may invite you to a meeting under the third stage of the sickness absence procedure. Arrangements for this meeting will follow the procedure set out in paragraphs 10 and 11 on the arrangements for and right to be accompanied at sickness absence meetings.
- 14.2 The purposes of the meeting will be:
- (a) To review the meetings that have taken place and matters discussed with you.
  - (b) Where you remain on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards your possible return to work or opportunities for return or redeployment.
  - (c) To consider any further matters that you wish to raise.
  - (d) To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.
  - (e) To consider the possible termination of your employment.
- 14.3 Termination will normally be with full notice or payment in lieu of notice.

#### **15. Appeals**

- 15.1 You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting (see paragraph 11).
- 15.2 An appeal should be made in writing, stating the full grounds of appeal, to your line manager within 14 days of the date on which the decision was sent to you.
- 15.3 Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.
- 15.4 You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.

- 15.5 Where practicable, an appeal meeting will be conducted by a member of the Personnel Working Party or Town Councillor who did not take part in the sickness absence meeting.
- 15.6 Depending on the circumstances, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 15.7 The final decision will be confirmed in writing, if possible within one week of the appeal meeting. There will be no further right of appeal.
- 15.8 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

## **CAPABILITY PROCEDURE**

### **1. About this procedure**

- 1.1 The primary aim of this procedure is to provide a framework within which the Town Clerk and the Personnel Working Party can work with employees to maintain satisfactory performance standards and to encourage improvement where necessary.
- 1.2 It is our policy to ensure that concerns over performance are dealt with fairly and that steps are taken to establish the facts and to give employees the opportunity to respond at a hearing before any formal action is taken.
- 1.3 This policy does not apply to cases involving genuine sickness absence, proposed redundancies, or misconduct.
- 1.4 This procedure applies to all employees regardless of length of service. However, we may depart from this procedure where appropriate (including but not limited to during an employee's probationary period). It does not apply to agency workers or self-employed contractors.
- 1.5 This procedure does not form part of any employee's contract of employment and it may be amended at any time.

### **2. Identifying performance issues**

- 2.1 In the first instance, performance issues should normally be dealt with informally between you and your line manager as part of day-to-day management. Where appropriate, a note of any such informal discussions may be placed on your personnel file but will be ignored for the purposes of any future capability hearings. The formal procedure should be used for more serious cases, or in any case where an earlier informal discussion has not resulted in a satisfactory improvement. Informal discussions may help:
  - (a) clarify the required standards;
  - (b) identify areas of concern;
  - (c) establish the likely causes of poor performance and identify any training needs; and/or
  - (d) set targets for improvement and a time-scale for review.
- 2.2 Employees will not normally be dismissed for performance reasons without previous warnings. However, in serious cases of gross negligence, or in any case involving an employee who has not yet completed their probationary period, dismissal without previous warnings may be appropriate.
- 2.3 If Town Council has concerns about your performance, it will undertake an assessment to decide if there are grounds for taking formal action under this procedure. The procedure involved will depend on the circumstances but may involve reviewing your personnel file including any appraisal records, gathering any relevant documents,

monitoring your work and, if appropriate, interviewing you and/or other individuals confidentially regarding your work.

### **3. Disabilities**

3.1 Consideration will be given to whether poor performance may be related to a disability and, if so, whether there are reasonable adjustments that could be made to your working arrangements, including changing your duties or providing additional equipment or training. We may also consider making adjustments to this procedure in appropriate cases.

3.2 If you wish to discuss this or inform us of any medical condition you consider relevant, you should contact your line manager or member of the Personnel Working Party.

### **4. Confidentiality**

4.1 Our aim is to deal with performance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with a matter which is subject to this capability procedure.

4.2 You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.

4.3 You will normally be told the names of any witnesses whose evidence is relevant to your capability hearing, unless we believe that a witness's identity should remain confidential.

### **5. Notification of a capability hearing**

5.1 If we consider that there are grounds for taking formal action over alleged poor performance, you will be required to attend a capability hearing. We will notify you in writing of our concerns over your performance, the reasons for those concerns, and the likely outcome if we decide after the hearing that your performance has been unsatisfactory. We will also include the following where appropriate:

- (a) A summary of relevant information gathered as part of any investigation.
- (b) A copy of any relevant documents which will be used at the capability hearing.
- (c) A copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case we will give you as much information as possible while maintaining confidentiality.

5.2 We will give you written notice of the date, time and place of the capability hearing. The hearing will be held as soon as reasonably practicable, but you will be given a reasonable amount of time, usually two to seven days, to prepare your case based on the information we have given you.

## **6. Right to be accompanied at hearings**

- 6.1 You may bring a companion to any capability hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. You must tell the manager conducting the hearing who your chosen companion is, in good time before the hearing.
- 6.2 A companion is allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a companion if they do not wish to do so.
- 6.3 If your companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days we may require you to choose someone else.
- 6.4 We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) where this will help overcome a particular difficulty caused by a disability, or where you have difficulty understanding English.

## **7. Procedure at capability hearings**

- 7.1 If you or your companion cannot attend the hearing you should inform us immediately and we will usually arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct. If you fail to attend without good reason, or are persistently unable to do so (for example, for health reasons), we may have to take a decision based on the available evidence including any written representations you have made.
- 7.2 The hearing will normally be held by your line manager and will normally be attended by a member of the Personnel Working Party. You may bring a companion with you to the hearing (see paragraph 6). Your companion may make representations, ask questions, and sum up your case, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.
- 7.3 You may ask relevant witnesses to appear at the hearing, provided you give us sufficient advance notice to arrange their attendance. You will be given the opportunity to respond to any information given by a witness. However, you will not normally be permitted to cross-examine witnesses unless, in exceptional circumstances, we decide that a fair hearing could not be held otherwise.
- 7.4 The aims of a capability hearing will usually include:
  - (a) Setting out the required standards that we believe you may have failed to meet, and going through any relevant evidence that we have gathered.
  - (b) Allowing you to ask questions, present evidence, call witnesses, respond to evidence and make representations.
  - (c) Establishing the likely causes of poor performance including any reasons why any measures taken so far have not led to the required improvement.

- (d) Identifying whether there are further measures, such as additional training or supervision, which may improve performance.
  - (e) Where appropriate, discussing targets for improvement and a time-scale for review.
  - (f) If dismissal is a possibility, establishing whether there is any likelihood of a significant improvement being made within a reasonable time and whether there is any practical alternative to dismissal, such as redeployment.
- 7.5 A hearing may be adjourned if we need to gather any further information or give consideration to matters discussed at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

7.6 We will inform you in writing of our decision and our reasons for it, usually within one week of the capability hearing. Where possible we will also explain this information to you in person.

## **8. Stage 1 hearing: first written warning**

- 8.1 Following a Stage 1 capability hearing, if we decide that your performance is unsatisfactory, we will give you a first written warning, setting out:
- (a) The areas in which you have not met the required performance standards.
  - (b) Targets for improvement.
  - (c) Any measures, such as additional training or supervision, which will be taken with a view to improving performance.
  - (d) A period for review.
  - (e) The consequences of failing to improve within the review period, or of further unsatisfactory performance.
- 8.2 A first written warning may be authorised by the Town Clerk or the Personnel Working Party.
- 8.3 The warning will normally remain active for six months from the end of the review period. After the active period the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of any future capability proceedings.
- 8.4 Your performance will be monitored during the review period and we will write to inform you of the outcome:
- (a) if your line manager and or Personnel Working Party is satisfied with your performance, no further action will be taken;
  - (b) if your line manager and or Personnel Working Party is not satisfied, the matter may be progressed to a Stage 2 capability hearing; or
  - (c) if the manager and or Personnel Working Party feels that there has been a substantial but insufficient improvement, the review period may be extended.

## **9. Stage 2 hearing: final written warning**

- 9.1 If your performance does not improve within the review period set out in a first written warning, or if there is further evidence of poor performance while your first written warning is still active, we may decide to hold a Stage 2 capability hearing. We will send you written notification as set out in paragraph 5.
- 9.2 Following a Stage 2 capability hearing, if we decide that your performance is unsatisfactory, we will give you a final written warning, setting out:
- (a) the areas in which you have not met the required performance standards;
  - (b) targets for improvement;
  - (c) any measures, such as additional training or supervision, which will be taken with a view to improving performance;
  - (d) a period for review; and
  - (e) the consequences of failing to improve within the review period, or of further unsatisfactory performance.
- 9.3 A final written warning may be authorised by the Town Clerk or Personnel Working Party.
- 9.4 A final written warning will normally remain active for six months from the end of the review period. After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future capability proceedings.
- 9.5 Your performance will be monitored during the review period and we will write to inform you of the outcome:
- (a) if your line manager is satisfied with your performance, no further action will be taken;
  - (b) if your line manager is not satisfied, the matter may be progressed to a Stage 3 capability hearing; or
  - (c) if the manager feels that there has been a substantial but insufficient improvement, the review period may be extended.

## **10. Stage 3 hearing: dismissal or redeployment**

- 10.1 We may decide to hold a Stage 3 capability hearing if we have reason to believe:
- (a) your performance has not improved sufficiently within the review period set out in a final written warning;
  - (b) your performance is unsatisfactory while a final written warning is still active; or
  - (c) your performance has been grossly negligent such as to warrant dismissal without the need for a final written warning.



We will send you written notification of the hearing as set out in paragraph 5.

- 10.2 Following the hearing, if we find that your performance is unsatisfactory, we may consider a range of options including:
- (a) Dismissing you.
  - (b) Redeploying you into another suitable job at the same or (if your contract permits) a lower grade.
  - (c) Extending an active final written warning and setting a further review period (in exceptional cases where we believe a substantial improvement is likely within the review period).
  - (d) Giving a final written warning (where no final written warning is currently active).
- 10.3 The decision may be authorised by the Town Clerk or Personnel Working Party.
- 10.4 Dismissal will normally be with full notice or payment in lieu of notice, unless your performance has been so negligent as to amount to gross misconduct, in which case we may dismiss you without notice or any pay in lieu.

## **11. Appeals against action for poor performance**

- 11.1 If you feel that a decision about poor performance under this procedure is wrong or unjust you should appeal in writing, stating your full grounds of appeal, to your line manager or Personnel Working Party within one week of the date on which you were informed in writing of the decision.
- 11.2 If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful you will be reinstated with no loss of continuity or pay.
- 11.3 If you raise any new matters in your appeal, we may need to carry out further investigation. If any new information comes to light we will provide you with a summary including, where appropriate, copies of additional relevant documents and witness statements. You will have a reasonable opportunity to consider this information before the hearing.
- 11.4 We will give you written notice of the date, time and place of the appeal hearing. This will normally be two to seven days after you receive the written notice.
- 11.5 The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case. In any event the appeal will be dealt with as impartially as possible.

- 11.6 Where possible, the appeal hearing will be conducted by a member of the Personnel Working Party who has not been previously involved in the case. The member/s of the Personnel Working Party and/or the manager who conducted the capability hearing will also usually be present. You may bring a companion with you to the appeal hearing (see paragraph 6).
- 11.7 A hearing may be adjourned if we need to gather any further information or give consideration to matters discussed at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 11.8 Following the appeal hearing we may:
- (a) confirm the original decision;
  - (b) revoke the original decision; or
  - (c) substitute a different penalty.
- 11.9 We will inform you in writing of our final decision as soon as possible, usually within one week of the appeal hearing. Where possible we will also explain this to you in person. There will be no further right of appeal.

## **DISCIPLINARY RULES AND GRIEVANCE PROCEDURES**

### **1. Aim**

- 1.1 The disciplinary procedure set out below is designed to ensure that employees of the Council are treated fairly and consistently, to ensure the efficient and safe performance of work and to promote the maintenance of good relations between colleagues and between employees and their managers.
- 1.2 You should familiarise yourself with and abide by the code of conduct and disciplinary procedure. The disciplinary procedure applies to all employees save where the employee is in a probationary or trial period and/or does not have sufficient continuous service for unfair dismissal purposes (currently 2 years).
- 1.3 The disciplinary procedure will be used where there are possible issues of misconduct and may also apply to cases where an employee fails to perform to the required standard as a result of a lack of skill, capability or training or has sickness absence.
- 1.4 The disciplinary policy and procedure is for guidance only. It is intended only as a statement of the Council's policy and does not form part of any contract of employment or otherwise have contractual effect. The Council reserves the right to make additions or alterations to this policy from time to time and will be notified of any such additions or alterations.

### **2. Code of Conduct**

- 2.1 The code of conduct is designed to cover the main areas of the standards of behaviour and performance required by the Council. The code includes:
  - a) Council rules (see section 2.3 below) with which you are required to comply;
  - b) Examples of misconduct falling short of gross misconduct (see section 2.4 below); and
  - c) A breach of the Council rules will render you liable to disciplinary action in accordance with the disciplinary procedure. An instance of gross misconduct will normally render you liable to dismissal without notice.

### **3. Council Rules**

- 3.1 The Council rules and the examples of misconduct are not exhaustive. You are under a duty to comply with the standards of behaviour and performance required by the Council and to behave in a reasonable manner at all times. The Council rules include the following:
  - 3.1.1. You are required to comply with the rules relating to notification of absence as set out in your statement of terms of employment;

- 3.1.2. You are required to arrive at work promptly, ready to start work at your contracted starting times, and are required to remain at work until your contracted finishing times;
- 3.1.3. You may be required to work additional hours at short notice, as the needs of the Council business require;
- 3.1.4. You must obtain the Town Clerk's authorisation if for any reason you wish to arrive later or leave earlier than your normal start and finish times;
- 3.1.5. The Council reserves the right to not pay you in respect of working time lost because of poor timekeeping;
- 3.1.6. Persistent poor timekeeping will result in disciplinary action;
- 3.1.7. You are solely responsible for your own time recording on commencing and finishing work. Any errors or omissions must be corrected by you and raised with the Town Clerk who will authorise or endorse any amendment;
- 3.1.8. You are required to keep confidential, both during your employment and at all times after its termination, all information gained in the course of your employment about Council business, and that of the Council's Officers and Employees and business partners, except in circumstances in which you are required to disclose inform by law or in the course of the performance of your duties with the Council;
- 3.1.9. You are not permitted to engage in any activity outside your employment with the Council which could reasonably be interpreted as putting yourself in a conflict of interest position;
- 3.1.10. You are required to dress in a manner appropriate to the function in which you are engaged;
- 3.1.11. You may be required from time to time to undertake duties outside your normal job remit;
- 3.1.12. You may be required from time to time to work at locations other than your normal place of work;
- 3.1.13. You are required to co-operate fully with your colleagues and with management and to ensure the maintenance of acceptable standards of politeness;
- 3.1.14. You are required to take all necessary steps required to safeguard the public image of the Council and preserve positive relationships with the persons you deal with;

- 3.1.15 You are required to comply with any of the Council's operating policies and procedures;
- 3.1.16 You are required to ensure that you do not breach the Council's policies on equal opportunities and/or sexual harassment;
- 3.1.17 You are required to gain an understanding of the Council's health and safety procedures, observe them and ensure that safety equipment and clothing is always used;
- 3.1.18 All accidents, however minor, must be reported to the Town Clerk as soon as possible, and an entry made in the Council's accident book;
- 3.1.19 Council property and equipment must not be taken from any Council premises other than for use on authorised Council business; and
- 3.1.20 You are solely responsible for the safety of your personal possessions while on any Council premises or other location. You must ensure that your possessions are at all times kept in a safe place

#### **4. Misconduct (Falling Short of Gross Misconduct)**

- 4.1 Set out below are examples of behaviour which the Council treats as misconduct falling short of gross misconduct. Such behaviour will normally render you liable to sanction under the disciplinary procedure. You should note that this list is not exhaustive. Examples include:
  - 4.1.1 Minor breaches of our policies;
  - 4.1.2 Minor breaches of your contract;
  - 4.1.3 Damage to, or unauthorised use of, our property;
  - 4.1.4 Poor timekeeping;
  - 4.1.5 Time wasting;
  - 4.1.6 Unauthorised absence from work;
  - 4.1.7 Refusal to follow instructions;
  - 4.1.8 Excessive use of our telephones for personal calls;
  - 4.1.9 Excessive personal email or internet usage;
  - 4.1.10 Obscene language or other offensive behaviour;
  - 4.1.11 Negligence in the performance of your duties; or

4.1.12 Smoking in no-smoking areas.

## **5. Gross Misconduct**

5.1 Set out below are examples of behaviour which the Council treats as gross misconduct. Such behaviour will normally render you liable to dismissal without notice. You should note that this list is not exhaustive. Examples include:

5.1.1 theft, dishonesty, or fraud;

5.1.2 assault, act of violence, or aggression;

5.1.3 unacceptable use of obscene or abusive language (including language of a discriminatory nature);

5.1.4 possession or use of non-prescribed drugs on Council premises or during working hours;

5.1.5 possession or consumption of alcohol on any Council premises or during working hours, other than on occasions approved by the Council;

5.1.6 serious incapability at work brought on by alcohol or non-prescribed drugs, (which includes turning up for work whilst incapacitated);

5.1.7 wilful damage to the Council's property or the property of its employees or customers, suppliers or business partners;

5.1.8 serious insubordination;

5.1.9 falsification of records or other Council documents, including those relating to obtaining employment;

5.1.10 unlawful discrimination, harassment or bullying;

5.1.11 refusal to carry out reasonable management instructions;

5.1.12 gambling, bribery or corruption;

5.1.13 acts of indecency or sexual harassment;

5.1.14 serious breach of the health and safety policies and procedures including a failure to wear or use protective clothing and equipment, or endangering the health and safety of a fellow employee, client or third party;

5.1.15 breach of the Council's policy regarding smoking;

- 5.1.16 breach of confidentiality, including the unauthorised disclosure of Council business to the media or any other party (this rule does not apply to making, in good faith, a protected disclosure within the meaning of Part IVA of the Employment Rights Act 1996 (whistleblowing));
- 5.1.17 unauthorised access to or use of computer data or computer hardware;
- 5.1.18 copying of computer software, other than when authorised in the employee's normal course of employment;
- 5.1.19 bringing the Council into disrepute;
- 5.1.20 serious breach of the Council's policies or procedures;
- 5.1.21 serious negligence which causes or might cause unacceptable loss, damage or injury; or
- 5.1.22 conviction of a criminal offence (except for minor road traffic offences) that impacts on your suitability to do your job or your relationship with the Council, your work colleagues or the Council's business partners.
- 5.1.23 Use of the internet or email to access pornographic, obscene or hardcore material.

## **6. Disciplinary Procedure**

- 6.1 The Council recognises the importance of dealing with disciplinary matters without undue delay and will seek where possible to do so. The Council may enter the disciplinary procedure at any stage of the process depending on the nature and/or the severity of the misconduct and/or performance.

### **6.2 Investigation**

- 6.2.1 If any complaint of misconduct is made against you, an investigation will be carried out by an appropriate person (this may be an external person). The Council's Personnel Working Party will, at its sole discretion, determine who is an appropriate person to carry out the role of the investigating officer ("the Investigating Officer"). You must cooperate fully and promptly in any investigation.
- 6.2.2 On completion of the investigation, the Investigating Officer will recommend whether a disciplinary hearing should be convened, or some other steps taken in relation to the situation. The Council's Personnel Working Party will then decide whether further action will be taken.
- 6.2.3 You do not have a statutory right to be accompanied at any investigatory meeting.
- 6.2.4 In cases of failure to perform or where you have an unacceptable sickness absence record an investigation may not be necessary or required.

6.2.5 If the Personnel Working Party decides there is a case to answer, it will appoint a Staffing Sub-Committee of three Councillors (“Nominated Sub-Committee”). If a Nominated Sub-Committee cannot be appointed from Councillors the Personnel Working Party may appoint, an external consultant(s) to conduct the hearing with or without Councillors. The Nominated Sub-Committee will appoint a Chairman from one of its members. The Investigating Officer shall not sit on the Nominated Sub-Committee. No Councillor with direct involvement in the matter shall be appointed to the Nominated Sub-Committee.

## **7. Suspension**

7.1 If the Council has any grounds to believe that you may be guilty of misconduct which the Council considers (at its absolute discretion) to be serious misconduct, where relationships have broken down, or where the Council has any grounds to consider that its property or responsibilities to other parties are at risk, or where the Council considers in its absolute discretion that your continued presence at the Council's premises would hinder an investigation, the Council will be entitled to suspend you on full pay. Any such suspension will normally last only as long as required to enable an investigation into the circumstances giving rise to such belief of serious misconduct to be carried out and any disciplinary hearing to be convened. Any such period of suspension is not a punishment, nor considered as disciplinary action against you, nor does it imply that any decision has been taken about your case.

## **8. Mediation**

8.1 In some cases, the Council may decide that it is appropriate to use an internal or external mediator, as part of or alongside the disciplinary process, to help you and the Council to reach agreement on the best way forward. The Council will seek your agreement prior to any mediation being commenced.

## **9. Attendance at disciplinary and appeal hearings**

9.1 You should make every effort to attend any disciplinary hearing (including any appeal hearing). If either you or the person accompanying you cannot attend on the proposed date for the hearing, you may suggest a reasonable alternative date, which must be within five working days of the date first proposed. This five-day time limit may be extended by mutual agreement between you and the Council. If you fail to attend any re-arranged hearing without good cause, the Council will be entitled to make a decision on the evidence available at the re-arranged hearing in your absence.

## **10. Right to be accompanied at disciplinary and appeal hearings**

10.1 You are entitled to be accompanied at any disciplinary hearing (including any appeal hearing) by a fellow work colleague of your choice or trade union representative who meets the statutory requirements. Please note that it is your responsibility to secure the attendance at any hearing of any fellow work colleague. You may not be accompanied by:



- a) any other person, such as a relative, without the prior agreement of the Council; or
- b) a legal representative.

10.2 The person accompanying you is entitled to address the hearing to put and sum up your case, respond on your behalf to any views expressed at the hearing and confer with you during the hearing. The person accompanying you does not have the right to answer questions on your behalf, address the hearing if you do not wish it or prevent the Council from explaining its case.

## **11. Invitation to disciplinary hearing**

11.1 You will receive advance written notice of any disciplinary hearing.

11.2 This letter or notice will:

11.2.1 set out the nature of the allegations against you (or details of your failure to perform or your sickness record as the case may be) and what is to be discussed at the hearing in sufficient detail to enable you to prepare your case;

11.2.2 advise you of the possible consequences of the allegations against you;

11.2.3 set out the date, time and place of the hearing;

11.2.4 advise of your right to be accompanied at the hearing;

11.2.5 advise who the Council's witnesses will be (if any);

11.2.6 provide copies of the Council's witness statements, or where this is not possible, summaries; and

11.2.7 provide copies of any other supporting evidence on which the Council intends to rely.

## **12. Disciplinary hearing**

12.1 A disciplinary hearing will be convened as soon as reasonably practicable after the conclusion of the investigation and once you have had a reasonable opportunity to consider the information provided with the notice of the hearing. No decision will be made as to whether any disciplinary action is to be taken or the nature of any disciplinary action to be taken before the hearing takes place.

12.2 Where possible, the hearing will usually be heard by the Nominated Sub-Committee.

- 12.3 Where possible, the Council may request a note taker, who is not involved in the case, to be present to take notes. Alternatively, the Council may record the hearing (or any Appeal hearing).
- 12.4 At the hearing, the Chairman of the Nominated Sub-Committee will explain the complaint against you and go through the evidence that has been gathered. You will have an opportunity to state your case in relation to the allegations and challenge any evidence produced in support of the allegations by the Council. You will be permitted to ask questions, present evidence and call witnesses (provided that the Nominated Sub-Committee has been notified in advance of the hearing of the names of such witnesses and their relevance to the allegations). You will also be given an opportunity to raise points about any information provided by witnesses.
- 12.5 The proceedings, any statements and all documents and records relating to disciplinary hearings will be kept confidential.

### **13. Adjournment**

- 13.1 The Nominated Sub-Committee will have discretion to adjourn any disciplinary hearing (including any appeal hearing) as appropriate at the reasonable request of the Council or you or otherwise as the Nominated Sub-Committee, at their discretion, deems necessary.

### **14. Decision**

- 14.1 At the end of the disciplinary hearing, the Nominated Sub-Committee will normally adjourn the meeting before making a decision. Following the adjournment, the Nominated Sub-Committee may issue an oral decision. If the Nominated Sub-Committee is unable to reach an immediate decision following the hearing, they are entitled to deliberate on the hearing prior to issuing a decision in writing. In any event, written notification of the outcome of the hearing will usually be sent to you as soon as reasonably practicable, together with an explanation of any disciplinary action to be taken and notification of your right to appeal.

### **15. Levels of disciplinary sanction**

- 15.1 Very minor cases of misconduct will be dealt with informally, with the objective of improving your conduct. Where the matter is more serious or where you have failed to improve your conduct, formal action will be taken as described below.
- 15.2 There are three levels of disciplinary sanction. Other than in cases of gross misconduct, you will not normally be dismissed for a first offence. The Council reserves the right to impose sanctions at any level, or to skip levels, depending on the circumstances of the case.

#### **15.2.1 Level 1—written warning**

15.2.3 In cases of misconduct you may be given a formal written warning or, in cases of unsatisfactory performance, an improvement note. This will give the following information:

- an explanation of the reasons for the warning;
- an explanation of the improvements in conduct or performance required;
- the timescale for making these improvements;
- any support the Council will provide to assist you;
- an explanation of the consequences of any repetition of misconduct or failure to improve conduct or performance to an acceptable standard; and
- advice as to your right to appeal against the disciplinary decision.

15.2.4 A first written warning will normally remain in force for six months and a copy of the warning will be kept on your personnel record. It will normally be disregarded for disciplinary purposes after a period of six months, or any longer period specified in the warning subject to satisfactory conduct and performance during that time, but will form a permanent part of your personnel record.

### **15.2.5 Level 2—final written warning**

15.2.6 In the event of a failure to improve performance or change behaviour during the currency of a prior warning or where the misconduct, infringement or offence is sufficiently serious to warrant only one written warning before dismissal, a final written warning may be given to you. This will give the following information:

- an explanation of the reasons for the warning;
- an explanation of the improvements in conduct or performance required;
- the timescale for making these improvements;
- any support the Council will provide to assist you;
- an explanation that any repetition of misconduct or failure to improve conduct or performance to an acceptable standard will render you liable to dismissal; and
- advice as to your right to appeal against the disciplinary decision.

15.2.7 A final written warning will normally remain in force for 12 months and a copy of the final written warning will be kept on your personnel record. In exceptional cases, depending upon the seriousness and nature of the behaviour, misconduct or infringement, the period for which the final written warning remains in force may be longer. The final written warning will normally be disregarded for disciplinary purposes after a period of 12 months or any longer period specified in the warning, subject to

satisfactory conduct and performance during that time, but will form a permanent part of your personnel record.

**15.2.8 Level 3—dismissal or other sanction**

15.2.9 In the event of a failure to improve performance or change behaviour or improve conduct during the currency of a prior warning, or where the misconduct, infringement or offence is sufficiently serious to warrant dismissal, or if you are guilty of an act of gross misconduct (see section 2.5 for a non-exhaustive list of examples), dismissal will normally result.

15.2.10 In the case of dismissal (including summary dismissal), you will, as soon as is reasonably practicable, be provided with written confirmation of the dismissal which will set out the following:

- details of the reason for the dismissal;
- the date on which your employment terminated or will terminate;
- the appropriate period of notice or pay in lieu of notice (if any); and
- advice as to your right to appeal against the dismissal.

**15.2.11 Action other than dismissal**

15.2.12 If a sanction other than dismissal is to be imposed (eg demotion), you will, as soon as is reasonably practicable, be provided with written confirmation of the action to be taken, how it is to be implemented, the reason for the action, the date on which it will come into force (if appropriate) and information on your right to appeal. These sanctions may be used in conjunction with a written warning.

**15.2.13 Summary dismissal**

15.2.14 If you are guilty of an act of gross misconduct or some other fundamental breach of the Council's rules or of the contract of employment you may be summarily dismissed. This means that there will be no obligation on the Council to allow you to work your notice period or make a payment in lieu of notice. If your behaviour justifies it, the Council may summarily dismiss you without any previous warning(s) having been given.

**16. Appeals**

16.1 If you wish to appeal against a disciplinary decision or sanction, you must inform the Chairman of the Nominated Sub-Committee in writing within five working days of receiving notification of the disciplinary decision. The Personnel Working Party may appoint a panel of 3 persons to hear the appeal ("the Nominated Appeal Panel"). Those persons may be within the Council or external to the Council. The Nominated Appeal Panel will appoint a Chairman from one of its members. If a Nominated Appeal Panel cannot be appointed from Councillors the ~~Staffing Committee~~ Personnel Working Party

may appoint an external consultant(s) to conduct the appeal hearing with or without Councillors. Your written notification should specify the grounds for the appeal. If you wish to produce additional evidence to support your case, then this must be provided to the Chairman of the Nominated Appeal Panel in advance of the appeal hearing.

- 16.2 All appeals will be dealt with as promptly as possible and a date will be set for the appeal hearing as soon as is reasonably practicable after receipt of your written notification of your appeal. The appeal will be heard as soon as is reasonably practicable.
- 16.3 Wherever possible, the appeal will be heard by the Nominated Appeal Panel who have not been involved in the investigation or disciplinary hearing (or an external consultant).
- 16.4 You will be informed of the arrangements for the appeal hearing, confirmation of the Nominated Appeal Panel or external consultant, details of any other person who will be present as a note taker (or that the hearing will be recorded) and of the right to be accompanied at the appeal hearing. The Council will inform you if any witnesses are to attend the appeal hearing on behalf of the Council.
- 16.5 You must advise the Nominated Appeal Panel (or external consultant) in advance of the appeal hearing of the name and relevance of any witness you intend to bring to the appeal hearing on your behalf.
- 16.6 at the appeal hearing, you will be asked to present your appeal to the Nominated Appeal Panel (or external consultant).
- 16.7 the Chair of the Nominated Appeal Panel (or external consultant) will confirm to you in writing the outcome of the appeal hearing as soon as is reasonably practicable.
- 16.8 the Nominated Appeal Panel (or external consultant's) decision will be final. There is no further right of appeal.
- 16.9 In situations where the disciplinary/dismissal procedure has commenced and the grievance procedure has also commenced, the Council reserves the right to adjourn the disciplinary/dismissal hearing until the grievance has been dealt with. If the Council believes that both can be dealt with at the same time it will inform you accordingly.

## **GRIEVANCE PROCEDURE**

### **1. Purpose and scope of the procedure**

- 1.1. Grievances are concerns, problems or complaints that employees raise with their employers.
- 1.2. We will try to resolve, as quickly as possible, any grievance you may have about your employment. This procedure is open to any employee who has a grievance about their employment and is the procedure which you should adopt if you wish to bring a formal grievance. Where appropriate, you should seek to resolve grievances informally with the person to whom you immediately report. If a grievance cannot be resolved informally, or it is inappropriate to do so, you should raise it formally as set out below.
- 1.3. None of the provisions in this procedure are contractual.
- 1.4. This procedure applies only to our officers, employees and workers. It does not apply to agency workers, consultants, contractors, volunteers, interns or casual workers.

### **2. Principles**

- 2.1. The procedure sets out the responsibilities that both the Council and you have for ensuring a fair procedure is followed, although there may be occasions where it is not practicable to take all the steps set out in this procedure.
- 2.2. Any issues should be raised and dealt with promptly unless there are special circumstances justifying a longer timescale. This includes not unreasonably delaying meetings or decisions.
- 2.3. Both the Council and you should act consistently.
- 2.4. The Council will seek to establish the facts, including giving you an opportunity to set out the grievance, prior to making a decision in respect of any grievance.
- 2.5. A written record of the grievance interview and any appeal should be agreed between and signed by the interviewer and you and recorded on your personal file. The Council will keep copies of grievances raised, our response and details of the reasons for any action taken.
- 2.6. You have the right to be accompanied in accordance with this procedure at the grievance meeting and any appeal meeting, as detailed below.
- 2.7. Information and proceedings relating to a grievance will remain confidential as far as possible.
- 2.8. All stages of the procedure will be dealt with within a reasonable timescale, unless there are special circumstances justifying a longer timescale.

2.9. The Grievance procedure is for guidance only. It is intended only as a statement of the Council's policy and does not form part of any contract of employment or otherwise have contractual effect. The Council reserves the right to make additions or alterations to the policy from time to time and you will be notified of any such additions or alterations.

### **3. The procedure**

#### **3.1. Stage one: informal discussion**

3.1.1. Your first step is to raise any grievance by informal discussion with your line Manager, or the Town Clerk or a member of the Personnel Working Party; that person, in most cases, will be best placed to respond to the complaint. There may be occasions where it is inappropriate to raise the matter informally, in which case you should proceed straight to stage two. If the complaint is about your line Manager you should raise this with the Town Clerk, if it relates to the Town Clerk you should raise the grievance with the Personnel working Party or proceed straight to stage two.

#### **3.2. Stage two: written grievance and meeting**

3.2.1. If the matter cannot be satisfactorily resolved under stage one, or it is inappropriate to do so, you should raise the matter formally by setting out your grievance in writing and sending a copy to your line Manager or if the complaint is about your line Manager to the Personnel Working Party who may appoint a member of the Staffing Committee or an independent person which may be an external consultant. This should be done without unreasonable delay. Once your line Manager (or Personnel Working Party) receives a written copy of the grievance, you will be invited to attend a meeting with your Manager (or member/s of Personnel Working Party) to discuss the grievance. If you have not set out in detail the basis for your grievance in your initial letter raising the grievance, you should tell your line Manager (or Personnel Working Party) before the meeting what the basis for the grievance is so that he has a reasonable opportunity to consider the grievance before the meeting and undertake any necessary initial investigations.

3.2.2. You have the right to be accompanied at the meeting as detailed below. You, and any companion, should make every effort to attend the meeting.

3.2.3. At the meeting, you will be given the opportunity to explain the grievance and how you consider it should be resolved. The meeting may be adjourned if it is felt that further investigations are necessary or more time is needed to consider the grievance.

3.2.4. After the meeting, your line Manger (or member/s of the Personnel Working Party) will inform you in writing of their decision and any proposed action in respect of the grievance, normally within five working days of the meeting. If more time is needed to consider the grievance, you will be informed of the

revised timescale. You will also be informed in writing of the right to appeal against the decision.

### **3.3. Stage three: appeal**

3.3.1. If you are not satisfied with the resolution of the grievance, you should appeal against the grievance decision. This should be done within five working days of receipt of the grievance decision, by informing the Chair of the Personnel Working Party and setting out the grounds for the appeal in writing. You will then be invited to attend an appeal hearing. The appeal will be heard without unreasonable delay by a panel of 3 persons to hear the appeal ("Nominated Appeal Panel"). Those persons may be within the Council or external to the Council. The Nominated Appeal Panel will appoint a Chairman from one of its members. If a Nominated Appeal Panel cannot be appointed from Councillors the Staffing Committee may appoint an external consultant (s) to conduct the appeal hearing with or without Councillors. Your written notification should specify the grounds for the appeal. If you wish to produce additional evidence to support your case, then this must be provided to the Chairman of the Nominated Appeal Panel in advance of the appeal hearing. Their decision is final.

3.3.2. You have the right to be accompanied at the appeal hearing as set out below.

3.3.3. After the appeal, you will be informed in writing of the appeal decision and that there is no further right of appeal.

### **3.4. Right to be accompanied**

3.4.1. You have the right to be accompanied at any hearing (including an appeal hearing) by a single companion who is either:

3.4.1.1. A work colleague; or

3.4.1.2. A full time official employed by a trade union; or

3.4.1.3. A lay official, provided they have been certified in writing by their union as having experience of, or as having received training in, acting as a worker's companion at disciplinary or grievance hearings.

3.4.2. In order to exercise this right, you must make a reasonable request for the representative to attend the meeting, prior to the meeting.

3.4.3. A representative has the right to:

3.4.3.1. explain and sum up your case;

3.4.3.2. respond to any views expressed at the hearing; and

3.4.3.3. confer with you during the hearing

3.4.4. A representative may not:

3.4.4.1. answer questions on your behalf;



- 3.4.4.2. address the hearing if you do not wish the representative to do so; or
- 3.4.4.3. prevent the Council from explaining our case

3.4.5. If the representative cannot attend on the date we have set for the meeting/appeal, then we can postpone the meeting/appeal for up to five working days (or longer if both you and we agree).

#### **4. Policy Review**

To be reviewed annually

## **FLEXIBLE WORKING POLICY**

### **1. About this policy**

- 1.1 We are committed to providing equality of opportunity in employment and to developing working practices and policies that support work-life balance. This Flexible Working Policy gives eligible employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure for such requests. Managers are encouraged to facilitate requests unless they cannot be accommodated for business or operational reasons.
- 1.2 No one who makes a request for flexible working will be subjected to any detriment or lose any career development opportunities as a result.
- 1.3 This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.

### **2. Personnel responsible for implementing the policy**

- 2.1 The Personnel Working Party has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework.
- 2.2 The Town Clerk has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

### **3. Forms of flexible working**

- 3.1 Flexible working can incorporate a number of possible changes to working arrangements, such as:
  - (a) reduction or variation of working hours;
  - (b) reduction or variation of the days worked; and/or
  - (c) working from a different location (for example, from home).
- 3.2 The possible changes to working arrangements mentioned in paragraph 3.1 may also involve:
  - (a) starting a job share;
  - (b) working a set number of hours a year, rather than a week (annualised hours);
  - (c) working from home (whether for all or part of the week);
  - (d) working only during term-time (part-year working);
  - (e) working compressed hours; and/or
  - (f) working flexi-time.

4. The core working hours 9am to 1pm Monday to Friday excepting bank holidays
- 4.1 To be eligible to make a request under the formal procedure set out in paragraph 5 to paragraph 8 you must:
- (a) be an employee;
  - (b) have worked for us continuously for at least 26 weeks at the date your request is made;
  - (c) not have made a formal request to work flexibly during the last 12 months.
- 4.2 If you are not eligible to make a formal request, you may make an informal request under paragraph 10.

## 5. Making a formal flexible working request

- 5.1 Any employee interested in flexible working is advised to speak informally with the Town Clerk or in the case of the Town Clerk, The Personnel Working Party, to discuss their eligibility, the different options and the effect of their proposed work pattern on colleagues and service delivery, before submitting a formal or informal request.
- 5.2 You will need to submit a written application if you would like your flexible working request to be considered under the formal procedure.
- 5.3 Your application should be submitted to your line manager in good time and ideally at least two months before you would like the changes to take effect. It should:
- (a) state that it is a flexible working request;
  - (b) explain the reasons for your request, especially if you think our Equal Opportunities Policy may be relevant, for example, if your request concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability;
  - (c) provide as much information as you can about your current and desired working pattern, including working days, hours and start and finish times, and give the date from which you want the changes to take effect;
  - (d) identify the effect the changes to your working pattern will have on the work that you do, that of your colleagues and on service delivery. If you have any suggestions about dealing with any potentially negative effects, please include these in your written application; and
  - (e) provide information to confirm that you meet the eligibility criteria set out in **Error! Bookmark not defined.Error! Reference source not found.** of this policy including the dates of any previous formal requests for flexible working.
- 5.4 In most cases we will need to have a meeting with you before making a decision. In some cases we may be able to approve your request without a formal meeting, although it will usually be helpful to your manager to discuss the request with you to ensure it is the best solution.

## **6. Formal request: meeting**

- 6.1 Where necessary, the Town Clerk will arrange a meeting with you after your application has been submitted. The meeting may also be attended by Personnel Working Party. You may bring a colleague to the meeting as a companion if you wish. Your companion will be entitled to speak during the meeting and confer privately with you, but may not answer questions on your behalf.
- 6.2 In most cases, the meeting will be held at your usual place of work. We will try to ensure that the meeting is held at a time and place that is convenient to everyone.
- 6.3 The meeting will be used to discuss the working arrangements you have requested. You will be able to explain how the arrangements will accommodate your needs. You will also be able to discuss what impact your proposed working arrangements will have on your work and that of your colleagues. If we cannot accommodate the arrangements you have requested, discussion at the meeting also provides an opportunity to explore possible alternative working arrangements.
- 6.4 The Town Clerk may suggest starting new working arrangements under an initial trial period to ensure that they meet your needs and those of your team.

## **7. Formal request: decision**

- 7.1 We will notify you of the decision in writing as soon as possible.
- 7.2 If your request is accepted, or where we propose an alternative to the arrangements you requested The Town Clerk will write to you with details of the new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment.
- 7.3 Unless otherwise agreed (and subject to any agreed trial period) changes to your terms of employment will be permanent. You will not be able to make another formal request until 12 months after the date of your most recent request.
- 7.4 The Town Clerk needs more time to make a decision, for example, where ~~they need~~ more time is needed to investigate how your request can be accommodated or to consult several members of staff, the Town Clerk will discuss this with you.
- 7.5 There will be circumstances where, due to business and operational requirements, we are unable to agree to a request. In these circumstances, The Town Clerk will write to you:
  - (a) explaining the business reason(s) for turning down your application; and
  - (b) setting out the appeal procedure.
- 7.6 The eight business reasons for which we may reject your request are:

- (a) the burden of additional costs;
- (b) detrimental effect on ability to meet customer demand;
- (c) inability to reorganise work among existing staff;
- (d) inability to recruit additional staff;
- (e) detrimental impact on quality;
- (f) detrimental impact on performance;
- (g) insufficiency of work during the periods that you propose to work; and
- (h) planned changes.

## **8. Formal request: appeal**

8.1 If your request is rejected, you have the right to appeal.

8.2 Your appeal must:

- (a) be in writing and dated;
- (b) set out the grounds on which you are appealing; and
- (c) be sent to the Town Clerk within 14 days of the date on which you received the written rejection of your request.

8.3 The Town Clerk will arrange for a meeting to take place following receipt of your appeal. We will try to hold the meeting at a convenient time for all those attending. You may be accompanied by a colleague of your choice.

8.4 Where possible, the appeal meeting will be conducted by a more senior manager who has not been previously involved in considering your request.

8.5 You will be informed in writing of the decision as soon as possible after the appeal meeting.

8.6 If your appeal is upheld, you will be advised of your new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment.

8.7 You should be aware that changes to your terms of employment will be permanent and you will not be able to make another formal request until 12 months after the date of your original application.

8.8 If your appeal is rejected, the written decision will give the business reason(s) for the decision and explain why the reason(s) apply in your case. You will not be able to make another formal request until 12 months after the date of your original application.

## **9. Extending time under the formal procedure**

9.1 There may be exceptional occasions when it is not possible to complete consideration of your request within the expected time limits. Where an extension of time is agreed with you, the Town Clerk will write to you confirming the extension and the date on which it will end.

9.2 If you withdraw a formal request for flexible working, you will not be eligible to make another formal request for 12 months from the date of your original request. In certain circumstances, a formal request will be treated as withdrawn. This will occur if you fail to attend a meeting and a re-arranged meeting, or an appeal meeting and a re-arranged appeal meeting, without good cause.

In such circumstances, your line manager will write to you confirming that the request has been treated as withdrawn.

## **10. Making an informal flexible working request**

10.1 Employees who are ineligible to make a formal request for flexible working may make an informal request to the Town Clerk, who will consider it according to our business and operational requirements.

10.2 It will help the Town Clerk to consider your request if you:

- (a) make your request in writing and confirm whether you wish any change to your current working pattern to be temporary or permanent;
- (b) provide as much information as you can about your current and desired working pattern, including working days, hours and start and finish times, and give the date from which you want your desired working pattern to start; and
- (c) think about what effect the changes to your working pattern will have on the work that you do and on your colleagues, as well as on our service delivery and that of your team. If you have any suggestions about dealing with any potentially negative effects, please include these in your written application.

Your line manager can consider whether they are workable.

10.3 The Town Clerk will advise you what steps will be taken to consider your request, which may include inviting you to attend a meeting, before advising you of the outcome of your request.

## **11. Policy Review**

To be reviewed annually

## **HANDLING REQUESTS FOR INFORMATION**

### **1. Aim**

- 1.1 Southam Town Council has produced and publicised a Publication Scheme which makes it clear what information can already be accessed. The Publication Scheme outlines any charges which may be made in supplying any information.
- 1.2 Any additional information, which is not part of the Publication Scheme, can be requested under the Freedom of Information Act 2000

### **2. Responsibilities**

- 2.1 Southam Town Council, Town Clerk, Deputy Clerk and Finance Officer

### **3. Procedure**

- 3.1 A request for information must be made by letter or email and should be sent to the Clerk of the Council. The request must include a contact name, and address for correspondence, and state clearly what information is required
- 3.2 Information requested will be considered in line with the provisions of the Freedom of Information Act 2000
- 3.3 Southam Town Council will supply the information requested within 20 working days of receipt of a written request; confirm whether or not it holds the information; advise whether a fee will be charged and provide the information (after any relevant fee has been paid ) unless an exemption applies.
- 3.4 The Town Council does not have to confirm or deny the existence of the information or provide it if: an exemption applies; the request is vexatious; or similar to a previous request. If the Town Council decides not to disclose the information requested it will give reasons for its decision and explain how the exemption applies.
- 3.5 If an applicant is unhappy with a refusal to disclose information, they can request a formal review of the decision by a person not directly involved with the refusal (normally the Personnel Working Party). If the review concurs with the decision not to disclose the information the application can complain to the Information Commissioner's Office (ICO). The ICO will investigate the case and either uphold the Council's use of an exemption or decide that the information must be disclosed.

### **4. Policy Review**

- 4.1 The policy will be reviewed annually

## **IT AND COMMUNICATIONS SYSTEMS POLICY**

### **12. About this policy**

Our IT and communications systems are intended to promote effective communication and working practices within our organisation. This policy outlines the standards you must observe when using these systems, the circumstances in which we will monitor your use, and the action we will take in respect of breaches of these standards.

This policy covers all employees, officers, consultants, contractors, volunteers, interns, casual workers, agency workers and anyone who has access to our IT and communication systems.

Misuse of IT and communications systems can damage the organisation and our reputation. Breach of this policy may be dealt with under our Disciplinary Procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

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

### **Personnel responsible for the policy**

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

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

The Town Clerk with reference where necessary to the Personnel Working Party will deal with requests for permission or assistance under any provisions of this policy, and may specify certain standards of equipment or procedures to ensure security and compatibility.

### **Equipment security and passwords**

You are responsible for the security of the equipment allocated to or used by you, and must not allow it to be used by anyone other than in accordance with this policy.

You are responsible for the security of any computer terminal used by you. You should lock your terminal or log off when leaving it unattended or on leaving the office, to prevent unauthorised users accessing the system in your absence. Anyone who is not authorised to access our network should only be allowed to use terminals under supervision.



Desktop PCs and cabling for telephones or computer equipment should not be moved or tampered with without first consulting the Town Clerk

You should use passwords on all IT equipment, particularly items that you take out of the office. You must keep your passwords confidential and change them regularly. You must not use another person's username and password or make available or allow anyone else to log on using your username and password unless authorised by the Town Clerk. On the termination of employment (for any reason) you must provide details of your passwords to the Town Clerk or in the case of the Town Clerk to the Personnel Working Party and return any equipment, key fobs or cards.

If you have been issued with a laptop, tablet computer, BlackBerry, smartphone or other mobile device, you must ensure that it is kept secure at all times, especially when travelling. Passwords must be used to secure access to data kept on such equipment to ensure that confidential data is protected in the event of loss or theft. You should also be aware that when using equipment away from the workplace, documents may be read by third parties, for example, passengers on public transport.

### **Systems and data security**

You should not delete, destroy or modify existing systems, programs, information or data (except as authorised in the proper performance of your duties).

You must not download or install software from external sources without authorisation from the Town Clerk. This includes software programs, instant messaging programs, screensavers, photos, video clips and music files. Incoming files and data should always be virus-checked before they are downloaded. If in doubt, staff should seek advice from the Town Clerk

You must not attach any device or equipment to our systems without authorisation from the Town Clerk This includes any USB flash drive, MP3 player, tablet, smartphone or other similar device, whether connected via the USB port, infra-red connection or in any other way.

You should exercise particular caution when opening unsolicited emails from unknown sources or an email which appears suspicious (for example, if it contains a file whose name ends in .exe). Inform the Town Clerk immediately if you suspect your computer may have a virus. We reserve the right to delete or block access to emails or attachments in the interests of security. We also reserve the right not to transmit any email message.

You should not attempt to gain access to restricted areas of the network, or to any password-protected information, except as authorised in the proper performance of your duties.

You must be particularly vigilant if you use our IT equipment outside the workplace and take such precautions as we may require from time to time against importing viruses or compromising system security. The system contains information which is confidential and/or subject to data protection legislation. Such information must be treated with extreme care and in accordance with our Data Protection Policy.

## Email

Although email is a vital business tool, you should always consider if it is the appropriate method for a particular communication. Correspondence with third parties by email should be written as professionally as a letter. Messages should be concise and directed only to relevant individuals. Our standard disclaimer should always be included.

You must not send abusive, obscene, discriminatory, racist, harassing, derogatory, defamatory, or otherwise inappropriate emails. Anyone who feels that they have been harassed or bullied or are offended by material received from a colleague via email should inform their line manager.

You should take care with the content of email messages, as incorrect or improper statements can give rise to claims for discrimination, harassment, defamation, breach of confidentiality or breach of contract. Remember that you have no control over where your email may be forwarded by the recipient. Avoid saying anything which would cause offence or embarrassment if it was forwarded to colleagues or third parties or found its way into the public domain.

Email messages may be disclosed in legal proceedings in the same way as paper documents. Deletion from a user's inbox or archives does not mean that an email cannot be recovered for the purposes of disclosure. All email messages should be treated as potentially retrievable, either from the main server or using specialist software.

In general, you should not:

- send or forward private emails at work which you would not want a third party to read;
- send or forward chain mail, junk mail, cartoons, jokes or gossip;
- contribute to system congestion by sending trivial messages, copying or forwarding emails to those who do not have a real need to receive them, or using "reply all" unnecessarily on an email with a large distribution list;
- sell or advertise using our communication systems or broadcast messages about lost property, sponsorship or charitable appeals;
- agree to terms, enter into contractual commitments or make representations by email unless appropriate authority has been obtained. A name typed at the end of an email is a signature in the same way as a name written at the end of a letter;
- download or email text, music and other content on the internet subject to copyright protection, unless it is clear that the owner of such works allows this;
- send messages from another person's email address (unless authorised) or under an assumed name; or

send confidential messages via email or the internet, or by other means of external communication which are known not to be secure.

Staff and Councillors should review and check all email addresses are correct before pressing send.

If you receive an email in error you should inform the sender.

## **Using the internet**

Internet access is provided primarily for business purposes. Occasional personal use may be permitted as set out in **Error! Bookmark not defined.****Error! Reference source not found.**

When a website is visited, devices such as cookies, tags or web beacons may be employed to enable the site owner to identify and monitor visitors. If the website is of a kind described in **Error! Bookmark not defined.****Error! Reference source not found.**, such a marker could be a source of embarrassment to the visitor and us, especially if inappropriate material has been accessed, downloaded, stored or forwarded from the website. Such actions may also, in certain circumstances, amount to a criminal offence if, for example, the material is pornographic in nature.

You should not access any web page or download any image, document or other file from the internet which could be regarded as illegal, offensive, in bad taste or immoral. Even web content which is legal in the UK may be in sufficient bad taste to fall within this prohibition. As a general rule, if any person (whether intended to view the page or not) might be offended by the contents of a page, or if the fact that our software has accessed the page or file might be a source of embarrassment if made public, then viewing it will be a breach of this policy.

You should not under any circumstances use our systems to participate in any internet chat room, post messages on any internet message board or set up or log text or information on a blog or wiki, even in your own time.

The following must never be accessed from our network unless authorised for work purposes: online radio, audio and video streaming, instant messaging and webmail (such as such as Gmail or Hotmail) and social networking sites (such as Facebook, Twitter, Bebo, YouTube, Second Life). This list may be modified from time to time.

## **Personal use of our systems**

We permit the incidental use of our internet, email and telephone systems to send personal email, browse the internet and make personal telephone calls subject to certain conditions set out below. Personal use is a privilege and not a right. It must not be overused or abused. We may withdraw permission for it at any time or restrict access at our discretion.

Personal use must meet the following conditions:

use must be minimal during working hours.

personal emails should be labelled "personal" in the subject header;

use must not interfere with business or office commitments;

use must not commit us to any marginal costs; and

use must comply with this policy (see in particular **Error! Bookmark not defined.****Error! Reference source not found.** and **Error! Bookmark not defined.****Error! Reference source not found.**) and our other policies including the Equal Opportunities Policy, Anti-harassment Policy, Data Protection Policy and Disciplinary Rules.

You should be aware that personal use of our systems may be monitored (see **Error! Bookmark not defined.****Error! Reference source not found.**) and, where breaches of this policy are found, action may be taken under the disciplinary procedure (see **Error! Bookmark not defined.****Error! Reference source not found.**). We reserve the right to restrict or prevent access to certain telephone numbers or internet sites if we consider personal use to be excessive.

## Monitoring

We monitor telephone, email, voicemail, internet and other communications. For business reasons, and in order to carry out legal obligations in our role as an employer, use of our systems including the telephone and computer systems, and any personal use of them, may be continually monitored by automated software or otherwise. Monitoring is only carried out to the extent permitted or as required by law and as necessary and justifiable for business purposes.

We reserve the right to retrieve the contents of email messages or check internet usage (including pages visited and searches made) as reasonably necessary in the interests of the business, including for the following purposes (this list is not exhaustive):

- to monitor whether the use of the email system or the internet is legitimate and in accordance with this policy;
- to find lost messages or to retrieve messages lost due to computer failure;
- to assist in the investigation of alleged wrongdoing; or
- to comply with any legal obligation.

## Prohibited use of our systems

Misuse or excessive personal use of our telephone or email system or inappropriate internet use will be dealt with under our Disciplinary Procedure. Misuse of the internet can in some circumstances be a criminal offence. In particular, it will usually amount to gross misconduct to misuse our systems by participating in online gambling, forwarding chain letters, or by creating, viewing, accessing, transmitting or downloading any of the following material (this list is not exhaustive):

pornographic material (that is, writing, pictures, films and video clips of a sexually explicit or arousing nature);

offensive, obscene, or criminal material or material which is liable to cause embarrassment to us or to our clients;

a false and defamatory statement about any person or organisation;

material which is discriminatory, offensive, derogatory or may cause embarrassment to others (including material which breaches our Equal Opportunities Policy or our Anti-harassment and Bullying Policy);

confidential information about us or any of our staff or clients (except as authorised in the proper performance of your duties);

Unauthorised software;

any other statement which is likely to create any criminal or civil liability (for you or us); or

music or video files or other material in breach of copyright.

Any such action will be treated very seriously and is likely to result in summary dismissal.

Where evidence of misuse is found we may undertake a more detailed investigation in accordance with our Disciplinary Procedure, involving the examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses or managers involved in the Disciplinary Procedure. If necessary such information may be handed to the police in connection with a criminal investigation.

## **5. Policy Review**

To be reviewed annually

## **SOCIAL MEDIA AND PRESS POLICY**

### **1. About this policy**

- 1.1 This policy is in place to minimise the risks to our organisation through use of social media.
- 1.2 This policy deals with the use of all forms of social media, including Facebook, LinkedIn, Twitter, Google+, Wikipedia, Instagram, Tumblr and all other social networking sites, internet postings and blogs. It applies to use of social media for business purposes as well as personal use that may affect our business in any way.
- 1.3 This policy covers all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.

### **2. Personnel responsible for implementing the policy**

- 2.1 Our Personnel Working Party has overall responsibility for the effective operation of this policy, but has delegated day-to-day responsibility for its operation to the Town Clerk
- 2.2 Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks lies with the Town Clerk who will review this policy annually to ensure that it meets legal requirements and reflects best practice.
- 2.3 The Town Clerk and the Personnel Working Party have a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the standards of behaviour expected of them and taking action when behaviour falls below its requirements.
- 2.4 All staff are responsible for the success of this policy and should ensure that they take the time to read and understand it. Any misuse of social media should be reported to the Town Clerk and/or Working Party Questions regarding the content or application of this policy should be directed to the Town Clerk

### **3. Compliance with related policies and agreements**

- 3.1 Social media should never be used in a way that breaches any of our other policies. If an internet post would breach any of our policies in another forum, it will also breach them in an online forum. For example, you are prohibited from using social media to:
  - (a) breach our IT and Communications Systems Policy;
  - (b) breach our obligations with respect to the rules of relevant regulatory bodies;
  - (c) breach any obligations contained in those policies relating to confidentiality;
  - (d) breach our Disciplinary Policy or procedures;

- (e) harass or bully other staff in any way;
  - (f) unlawfully discriminate against other staff or third parties;
  - (g) breach our Data Protection Policy (for example, never disclose personal information about a colleague online); or
  - (h) breach any other laws or regulatory requirements.
- 3.2 Staff should never provide references for other individuals on social or professional networking sites, as such references, positive and negative, can be attributed to the organisation and create legal liability for both the author of the reference and the organisation.
- 3.3 Staff who breach any of the above policies will be subject to disciplinary action up to and including termination of employment.

#### **4. +Personal use of social media**

Occasional personal use of social media during working hours is permitted so long as it does not involve unprofessional or inappropriate content, does not interfere with your employment responsibilities or productivity and complies with this policy.

#### **5. Prohibited use**

- 5.1 You must avoid making any social media communications that could damage our business interests or reputation, even indirectly.
- 5.2 You must not use social media to defame or disparage us, our staff or any third party; to harass, bully or unlawfully discriminate against staff or third parties; to make false or misleading statements; or to impersonate colleagues or third parties.
- 5.3 You must not express opinions on the Town Council's behalf via social media, unless expressly authorised to do so by the Town Clerk or the Personnel Working party. The Town Council may require that you undergo training in order to obtain such authorisation.
- 5.4 You must not post comments about sensitive business-related topics, such as our performance, or do anything to jeopardise our trade secrets, confidential information and intellectual property. You must not include our logos or other trademarks in any social media posting or in your profile on any social media.
- 5.5 You are not permitted to add business contacts made during your employment to personal social networking accounts.
- 5.6 Any misuse of social media should be reported to the Town Clerk and the Personnel Working Party

## **6. Business use of social media**

- 6.1 If your duties require you to speak on behalf of the organisation in a social media environment, you must still seek approval for such communication from the Town Clerk or in the case of the Town Clerk this is a delegated responsibility on behalf of the Town Council. The Town Council may require you to undergo training and impose certain requirements and restrictions with regard to your activities.
- 6.2 Likewise, if you (excepting the Town Clerk) are contacted for comments about the organisation for publication anywhere, including in any social media outlet, direct the enquiry to the Town Clerk and do not respond without written approval.
- 6.3 The use of social media for business purposes is subject to the remainder of this policy.

## **7. Guidelines for responsible use of social media**

- 7.1 You should make it clear in social media postings, or in your personal profile, that you are speaking on your own behalf. Write in the first person and use a personal email address.
- 7.2 Be respectful to others when making any statement on social media and be aware that you are personally responsible for all communications which will be published on the internet for anyone to see.
- 7.3 If you disclose your affiliation with us on your profile or in any social media postings, you must state that your views do not represent those of your employer (unless you are authorised to speak on our behalf as set out in paragraph 5.3). You should also ensure that your profile and any content you post are consistent with the professional image you present to clients and colleagues.
- 7.4 If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from posting it until you have discussed it with your manager.
- 7.5 If you see social media content that disparages or reflects poorly on us, you should contact your manager.

## **8. Media and press**

- 8.4 You must not make any statement to the press or in the media in relation to a Council matter unless expressly authorised to do so by the Town Council or recess group. A breach of this obligation will be a disciplinary matter and may result in your dismissal.

## **9. Monitoring**

- 9.1 We reserve the right to monitor, intercept and review, without further notice, staff activities using our IT resources and communications systems, including but not limited to social media postings and activities, for legitimate business purposes which include ascertaining and demonstrating that expected standards are being met by those using



the systems and for the detection and investigation of unauthorised use of the systems (including where this is necessary to prevent or detect crime).

9.2 For further information, please refer to our IT and Communications Systems Policy.

## **10. Recruitment**

We may use internet searches to perform due diligence on candidates in the course of recruitment. Where we do this, we will act in accordance with our data protection and equal opportunities obligations.

## **11. Breach of this policy**

11.1 Breach of this policy may result in disciplinary action up to and including dismissal.

11.2 You may be required to remove any social media content that we consider to constitute a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

## **12. Policy Review**

To be reviewed annually

## **CONFIDENTIALITY**

### **1. Aim**

- 1.1 Southam Town Council wishes to be as open as possible and supply the information requested under its Publication Scheme
- 1.2 The Town Council may withhold any information if it considers its release not to be in the public interest and could cause significant harm. Any sensitive and confidential information is exempt from public information. Any exclusion as prescribed by law is contained in the Publication Scheme.
- 1.3 To safeguard confidentiality of sensitive or personal nature during Town Council meetings
- 1.4 To ensure that Councillors and staff respect the need for confidentiality

### **2. Responsibilities**

- 2.1 Southam Town Council councillors and staff are collectively responsible for ensuring confidentiality is maintained where it is agreed that this is necessary.

### **3. Procedure**

- 3.1 The following issues are deemed to be of a confidential nature and will only be discussed at Town Council meetings following the withdrawal of the public from the meeting:
  - Personal details and information (staff & councillors – except for members interests and essential contact details)
  - Staff salaries
  - Staff matters including grievance, disciplinary, investigations and appraisals
  - Commercially sensitive information including contracts and contractors
  - Sensitive information as advised by the police or other responsible authority
  - Matters which have been raised anonymously or where the sender has requested anonymity
- 3.2 All papers deemed confidential will be printed on blue paper. It is the responsibility of councillors to ensure their secure and safe disposal

### **4. Related Documents**

- 4.1 Publication scheme

## DATA PROTECTION

### 1. Aim

- 1.1 To comply with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). The act regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

### 2. Responsibilities

- 2.1 Southam Town Council and all employees
- 2.2 Southam Town Council is the Data Controller under the Act, which means that it determines what purposes personal information is held, will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

### 3. Procedure

#### The Data Protection Act 2018

- 3.1 The Act sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how information can be collected, handled and used. The Act applies to anyone holding information about people electronically or on paper. As a local authority the council has a number of procedures in place to ensure that it complies with the Act when holding personal information. The council has also notified the Information Commissioner that it holds personal data about individuals.
- 3.2 When dealing with personal data, council staff and councillors must ensure that:
- a. **Data is processed fairly and lawfully.**  
This means that information should only be collected from individuals if staff and councillors have been open and honest about why they want the information.
  - b. **Data is processed for specified purposes only**
  - c. **Data is relevant to what it is needed for.**  
Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
  - d. **Data is accurate and kept up to date.**  
Personal data should be accurate, if it is not it should be corrected.
  - e. **Data is not kept any longer than it is needed**
  - f. **Data is processed in accordance with the rights of individuals.**

This means that individuals must be informed, upon request, of all the information held about them.

**g. Data is kept securely**

This means that only staff and councillors can access the data. It should be stored securely so it cannot be accessed by members of the public.

**3.3 Storing and accessing data**

3.3.1 The council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and staff must be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone number to staff or a member of the council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

3.3.2 The council may hold information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the town council office and are not available for public access. All data stored on the council's computers is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be deleted from the computers.

3.3.3 The council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them:

- they must be sent all the information that is being held about them,
- there must be explanation for why it has been stored,
- there must be a list of who has seen it,
- it must be sent within 40 days.

3.3.4 A fee to cover photocopying and postage charges will be charged to the person requesting the information. The charges that apply are stated in the Council's Publication Scheme.

**3.4 Disclosure information**

3.4.1 If an elected member of the Council needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint, so they can help with the enquiry. They can only do this providing they represent the area that the subject lives in; however, before they access any sensitive information about a person, they would need consent to do this from the Town Clerk. Data should never be used for political reasons unless the data subjects have consented.

3.4.2 For most instances Southam Town Council can only process data in the following circumstances:

- The data subject has given consent to the process in using that data
- Contractual obligations need to be completed with subjects data being processed
- Necessary for public functions or to carry out the interest of the subjects interest
- Legal obligation to process this information
- The processed information is in the legal interest of the subjects or it might be in the legitimate interests of the data controller

### 3.5. **Data Breach**

- 3.5.1 All Southam Town Council Staff and Councillors must acquaint themselves with the ICO rules regarding Personal data breaches | ICO.
- 3.5.2 If it is thought that a breach may have occurred it must be immediately reported to the Town Clerk. The Town Clerk will inform the Mayor and Deputy Mayor and convene to assess the situation.
- 3.5.3 Any breaches that fall within those reportable by the ICO must be reported within 72hours (where feasible) of the Town Clerk, Mayor and Deputy Mayor becoming aware.
- 3.5.4 Communication will be made to the ICO by the Town Clerk or Mayor. The Mayor will be responsible for communicating with the person whose data has been breached.
- 3.5.6 Any reportable breaches must be tabled at the next Town Council meeting and duly minuted.

### 3.6 **Email Guidance**

- 3.6.1 Town Council staff, when emailing Councillors (County, District or Town) must only use official secure email address and in no circumstances use personal email addresses.

## 4. **Policy Review**

To be reviewed annually

## **INFORMATION SECURITY**

### **1. Aim**

- 1.1 To ensure that confidentiality, integrity and availability of information is maintained by implementing best practice to minimise risk

### **2. Responsibilities**

- 2.1 Southam Town Council and all employees

### **3. Procedure**

- 3.1 Information exists in many forms including:

- Printed or written on paper
- Stored electronically
- Published on the internet
- Transmitted by post or electronically

- 3.2 Information Security requires the adherence to both the Record Management and the Data Protection policies of the Council.

- 3.3 Information Security is primarily vested in the staff employed in the Town Council Office. However, individual Councillors are also required to meet the objectives of these policies as well as those contained within Standing Orders and the Code of Conduct.

- 3.4 Where sensitive information is provided, all recipients are expected to respect the nature of such information and afford it the appropriate level of security. Such security will include the prevention of access by unauthorised personnel.

- 3.5 Nothing in this policy, or those for Record management and Data Protection, will detract from the basic principles of the Freedom of Information Act.

### **4. Policy Review**

To be reviewed annually

## RECORDS MANAGEMENT

### **1. Aim**

- 1.1 Southam Town Council recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the institution.
- 1.2 This policy applies to all records created, received or maintained by staff of Southam Town Council.
- 1.3 Records are defined as all those documents which facilitate the business carried out by Southam Town Council.

### **2. Responsibilities**

- 2.1 Southam Town Council, Town Clerk and Deputy Clerk and Finance Officer

### **3. Procedure**

#### **3.1 Legal Documents**

- Minutes - To be kept indefinitely
- Burial Records - To be kept indefinitely
- Deeds/Leases - To be kept whilst the Council owns or occupies the land/  
property, the original documents to be kept in strong box at the  
Solicitors

#### **3.2 Inland Revenue and VAT**

- Salaries - If a pension is payable details should be kept until two  
years after the former employee dies
- Inland Revenue Papers - To be kept for 6 years
- VAT Papers - To be kept for 6 years
- Annual Returns - To be kept indefinitely
- Statement of Accounts - To be kept indefinitely
- Audit Papers - To be kept for 5 years

#### **3.3 Insurance**

- Certificates of Employment Liability - To be kept for 40 years
- Public Liability Insurance Policies - To be kept for 21 years

### **3.4 Planning Applications**

There is no requirement to keep Planning documents, as planning applications can be viewed online or at Stratford upon Avon District Council.

Planning Applications and grants of permission for Council property should be kept indefinitely.

For ease of reference the Town Council Office retains Planning Applications for 4 years.

### **3.5 Contract Documents and Related Receipts**

To be retained for 6 years after the end of the contract term

### **3.6 Handwritten Notes from Meetings**

Handwritten notes which are simply intended as a personal aide memoire must be destroyed immediately after they have served their purpose. If this is not done, there is a risk that they may be subject of a Freedom of Information Act request and may have to be disclosed.

### **3.7 Audio and Video Recordings**

Audio and Video recordings simply intended as a personal aide memoire must be destroyed immediately after they have served their purpose. If this is not done, there is a risk that they may be subject of a Freedom of Information Act request and may have to be disclosed.

### **3.8 Computer Hard Drives etc.**

When computers are upgraded and data that needs to be kept must be transferred to the new computer, it is imperative that the old hard drive is destroyed using a professional company in order to prevent the Council's data falling into the wrong hands

## **4. Policy Review**

To be reviewed annually



## **ASSET MANAGEMENT**

### **1. Aim**

The aim is to assist Southam Town Council in the effective management of its physical and financial assets.

### **2. Responsibilities**

2.1 Southam Town Councillors

2.2 Councillors delegated to the Finance Working Party

2.3 All employees in the preparation of financial accounts, maintenance of required records and documents, communication of financial information.

### **3. Procedure and guidance**

#### **3.1 Financial management principles**

- a) Sufficient General Reserves – Need a level of reserves (to cover up to 6 months expenditure) that will cover most eventualities, ensure the council has adequate balances so that there aren't any cash flow problems etc. and is able to deal with unexpected events/emergencies. Reserves shouldn't be seen as a way of earning interest to keep the precept down. General and Earmarked Reserves need to be kept at a fair and reasonable level.
- b) Use of Reserves- Need to maximise return from investing these reserves but in safe and secure products (no risk), preferably with local banks and building societies.
- c) Cash flow – This needs to be reviewed on a regular basis so that the minimum amount possible is kept in current accounts, leaving more to be invested on a longer term basis, earning more interest.
- d) Grants – give grants to local organisations that promote the council's values and aims. Level of grant dependant on organisations resources. Encourage these organisations to use STC grant to 'lever' in monies from other organisations e.g. WCC SOADC etc. Seek some form of service level agreement if possible with these organisations
- e) Value for money – demonstrate to public how assets are used efficiently and value for money is sought from suppliers e.g. Procurement Strategy. However STC should seek to use local suppliers/trades people if possible.

### **3.2 Asset Management principles**

- a) Fixed Assets need to be maintained properly in a planned and organised programme. Money should be earmarked for this purpose on a regular basis so large 'one-off' bills are avoided.
- b) Maximise use of assets – e.g. hire out to local organisations, maximise income. Ensure fixed assets energy efficient – financial and green implications. Invest in asset to bring into better use.
- c) Work in Partnership to maximise asset use, lever in funding to improve asset.
- d) Asset Usage Review – Need a comprehensive list of assets so STC is in a position to be able to review, and if necessary, rationalise its assets. Are they meeting their original purposes and also providing maximum benefit to STC and the Town.
- e) Review Assets annually to see if there are any implications for the precept.
- f) Regularly consult with stakeholders on need/use of assets.
- g) Sensitively balance commercial and social interests.

### **4. Related Documents**

- 4.1 Asset register

### **5. Policy Review**

To be reviewed annually

## GRANT APPLICATION

### **1. Aim**

- 1.1 To ensure that Southam Town Council distributes grant aid in a manner which is equitable, fair and in line with its Equality of Opportunity Policy.
- 1.2 To ensure that Southam Town Council actively widens participation of community groups and adds value to community projects

### **2. Responsibilities**

- 2.1 Southam Town Council collectively is ultimately responsible for allocating grants to community groups. Grants are considered monthly
- 2.2 The Finance Officer has delegated responsibility for collating funding application requests and informing the applicant(s) of the outcome of their request within 10 days of Council decision. The Finance Officer is also responsible for the electronic payments to the agreed amount and keeping appropriate records of expenditure. The Finance Officer will collate feedback and evaluation from recipients.

### **3. Procedure**

- 3.1 Grants will be primarily awarded to voluntary organisations.
- 3.2 Applications for specific projects will be considered in preference to general running costs of an organisation.
- 3.3 Grants will not be considered for statutory services provided by either another precepting authority or central government.
- 3.4 Grants to voluntary organisations will be conditional upon the following:
  - The organisation is based in Southam. If not based in Southam the organisation provides a service that is a direct benefit to all or some of the residents of Southam.
  - Grants will be considered for leisure and sporting activities or facilities only when they are based in Southam. National charitable appeals will only be considered when organised on a local basis by Southam residents and only in exceptional circumstances, e.g. Silver Jubilee. Annual appeals will not be considered.
  - Applications from Southam's churches will be considered on their merits.
  - Applicants will be required to provide a statement of their accounts and to complete a standard Application Form.
  - Recipients/Organisations of a grant will be required to complete a 'Feedback Report' form within 12 months of receiving their grant. If the recipient/organisation fails to comply Southam Town Council will not consider future grants from that recipient/organisation

- 3.5 Applications for funding will only be considered in February and September
- 3.6 Initial enquiries about funding will be invited by advertising in STC Newsletter, flyers on notice boards, Town Council website and local press.
- 3.7 Following initial enquiry, the Finance Officer will send out an Application Form for completion.
- 3.8 Completed forms will be presented to Council, by Town Clerk or Finance Officer after scoring.

- 2 Fully meets criteria
- 1 Partially meets criteria
- 0 Doesn't meet criteria

#### **4. Related Documents**

- 4.1 Application form
- 4.2 Feedback form

#### **5. Policy Review**

To be reviewed annually

## **PLANNING**

### **1. Aim**

- 1.1 To guide Southam Town Councillors in making decisions relating to planning issues.
- 1.2 To ensure that observations and objections are made on sound material consideration
- 1.3 To ensure that Southam Town Council is appropriately represented at Joint Area Committees where objections to planning in Southam have been lodged.

### **2. Responsibilities**

- 2.1 Southam Town Council collectively is ultimately responsible for making observations and objections to planning issues.
- 2.2 Individual councillors are responsible for ensuring that they have examined relevant planning applications prior to Town Council meetings.
- 2.3 Individual councillors are required to attend training and updates on planning issues as deemed necessary
- 2.4 The Town Clerk has delegated responsibly for reporting councillors decisions (no observations, observations and objections) to the relevant Planning Officer at SDC by the due date. The Town Clerk will also, where deemed necessary and urgent between Town Council meetings, alert councillors of a forthcoming urgent planning applications and circulate necessary papers.
- 2.5 The Town Clerk is also responsible for alerting councillors of the date, time and location of the Planning Committee. All councillors have an allocated date to attend the Committee (if necessary) if they cannot make that date then they should swap with another councillor, in order for the Town Council to have representation at Planning Committee meeting if STC has objected to an application.
- 2.6 The Town Clerk is responsible for ensuring that, in the event of a major planning application, the procedure for alerting residents is followed

### **3. Procedure and guidance for planning decisions**

- 3.1 Planning decisions must be made solely on the grounds of material consideration.
- 3.2 Form 3.2 is a guidance template for councillors to consider and complete during their evaluation of planning applications:

3.3 Two councillors are identified to be on stand-by to attend at least one Planning Committee each year. The list of known dates will be included every month in the Town Council meeting papers

#### **4. Representation at the Planning Committee**

4.1 At least one councillor should attend the planning committee if Town Council has lodged an objection to a planning application.

4.2 The councillor attending is expected to relay the comments resolved by the Town Council regardless of their individual opinions.

4.3 Councillors should exercise caution and declare if they have attended briefings or been in receipt of correspondence on planning applications

#### **5. Procedure for dealing with planning applications that cannot be considered at the Town Council meeting.**

5.1 Planning Applications that do not coincide with the Town Council meeting are to be considered at a Joint ENV meeting.

5.2 The Town Clerk in conjunction with The Mayor, Deputy Mayor and Past Mayor has delegated powers to consider planning applications during the Christmas and Summer Recess or in an emergency when council meetings cannot be held.

#### **6. Related Documents:**

6.1 Southam Town Plan

6.2 Southam Design Statement

6.3 20:20 Vision Action Plan

6.4 Better Welcome Action Plan

6.5 County Structure Plan incorporating:

- SDC Local Plan
- SDC Local Development Framework
- County Minerals Plan
- County Waste Local Plan
- PPGs – 15, 25 etc.

#### **7. Policy Review**

To be reviewed annually

**FORM 3.2 PLANNING**

**MATERIAL PLANNING CONSIDERATION**

<b>Material Planning Consideration</b>	<b>Applies</b>	<b>Unsure /Need More Information</b>
Physical site considerations		
Loss of light or overshadowing		
Overlooking/loss of privacy		
Visual amenity (but not loss of private view)		
Adequacy of parking/lading/turning		
Highway safety		
Traffic generation		
Road Access		
Noise and disturbance resulting from use		
Smells		
Pollution		
Loss of trees		
Nature conservation, wildlife & habitats		
Effect on listed building and conservation area		
Archaeology		
Layout and density of building		
Landscaping		
Design, appearance and materials		
Disabled persons' access		
Existing land use in area		
Existence of alternative/better suited sites		
Lack of Sustainability		
Desire to retain/promote certain uses		
Previous planning history & decisions(including appeal decisions		
Compensation and awards of costs against the council at public enquires		
Conformance with:		
Development Plans		
Planning polices – local, strategic, regional and national		
Government circulars, orders and statutory instruments		

## **MONUMENTS AND MEMORIALS**

### **1. Aim**

- 1.1 A physical object can serve as a reminder to the wider community to celebrate an individual's achievements or associations with a particular location. They can also be used to recall famous or infamous events, enhance the environment, street scene and improve tourist attractions and facilities.
- 1.2 This Policy provides a focus for members of the public, elected members and officers. It sets out the roles and responsibilities of the various parties. The Policy will act as a framework for applications to ensure that decisions are made consistently.
- 1.3 Individuals requesting a commemorative object will be encouraged to consider the benefits to the community as a whole and to also explore setting up or linking to an existing bursary, award or prize fund.

### **2. Responsibilities**

- 2.1 The Town Clerk will bring all applications to the attention of Southam Town Council
- 2.2 A working party may be delegated to consider any application and recommend its findings to Town Council
- 2.3 The Town Council will not automatically be responsible for the maintenance and upkeep of any commemorative object or for insuring against accident or damage to residents as a result of it
- 2.4 Southam Town Council will not be responsible for the costs of any information gathering or consultation to support individual or organisations applications

### **3. Procedure**

- 3.1 Southam Town Council will consider requests or suggestions for commemorative objects including:
  - Planting a tree in appropriate locations – subject to the advice of a recognised professional arboriculturist
  - Benches
  - Wall plaques – subject to planning restrictions
  - Inscription on the Town War Memorial – subject to eligibility and the approval of Coventry Diocese



3.2 Southam residents and organisations may apply to Council with their suggestion. Southam Town Council or its working groups may itself also suggest suitable commemorative objects.

3.3 Town Council or ENV working group will consider the application against the following criteria:

a) The nature of the event or achievement of the individual and the nature and scale of the proposal:

- A significant event should have passed its centenary
- A person should be considered eminent by a majority of their own profession or calling
- A person shall have made an important positive contribution to human welfare or given outstanding service
- A person shall have promoted Southam town in a positive manner through their work or other activities
- An event has brought Southam to positive national attention
- An event or person should be recognisable to the well-informed passer-by
- A person shall have resided in Southam for a significant period of time
- A local history society or other recognised representative body supports the nomination

#### **4. Consultation**

4.1 The Town Council is to determine whether consultation with residents is necessary

#### **5. Other matters including insurance, maintenance costs and who is responsible**

5.1 The Town Council is to determine whether insurance is required and who is responsible for its future maintenance

5.2 Any application must be able to provide sufficient detail and evidence for these criteria

## **STREET NAMING**

### **1. Aim**

To assist Southam Town Council (STC) in fulfilling its delegated powers to name or rename streets in accordance with Public Health Act 1925

### **2. Responsibilities**

2.1.0 The legislation allows Stratford District Council (SDC) to govern the naming of streets for new developments

2.1.1 In accordance with the Legislation an Applicant has the option of submitting a proposed street name, and in such a case STC will be consulted but may only comment on the name put forward.

2.1.2 However District Council's preferred option is to allow STC to officially undertake the matter of naming streets.

2.2 The Town Clerk will forward either comments on a submitted street name, or forward agreed street names to SDC

2.3 It is the responsibility of the full STC members to decide on street names, however the decision may be delegated to the Town Clerk in conjunction with a working group or sub group as agreed at full Council.

2.4 Discussions or agreements between residents and/or developers and individual town or district councillors shall have no validity until agreed as per 2.3.

### **3. Procedure and guidance**

3.1 Names cannot be duplicated. A variation in the suffix e.g. 'street', 'road', 'avenue', etc., is no longer permitted as it can have a detrimental effect in an emergency situation.

3.2.1 Changes which are proposed by STC to existing street names are permitted providing all residents have been notified and given at least a month to respond.

3.2.2 If an application to change a street name is made directly to SDC by a resident of the street or a developer of an adjoining development, the views of STC should be sought and given a month to respond.

3.3 Names need to be unique to avoid confusion or misunderstanding

3.4 Names should reflect the history of the town, area or acknowledge the geography of the site.

3.5 Names that could be seen as advertising are not allowed.

3.6 Names that could be considered to cause offence or encourage defacing of nameplates are not allowed.

3.7 Names of individual living people or a family will be avoided.

3.8.1 Names of former town residents who have died during, or as a consequence of, active service with the British Armed Forces, or duties performed for the Emergency Services e.g. Police, Fire, Ambulance, are allowed.

3.8.2 For a name to be taken forward for allocation, the surviving family must make a written request to STC using Form STC-NSNA which will be dated and timed on presentation to the STC office. Only one application per family will be accepted. STC will maintain a list of these requests.

3.8.3 The name to be considered must be the family name and a single forename. The forename can either be the forename on the birth certificate or the familiar name used by the family.

3.8.4 STC will assign the requested name at the next street naming opportunity, the order the names are assigned will be by chronological order as recorded using the form referred to in 3.7.2.

3.8.5 In the event that STC has received more than 1 request, names will be assigned to no more than 1 in 10 of new street names, and provided that they are not in close proximity.

3.8.6 Streets that are so named cannot be used as a memorial to that person.

3.9 Street names should not be difficult to pronounce or spell using letters from the English alphabet. In general, words of more than three syllables should also be avoided.

3.10 No abbreviations, initials or punctuation should be used

3.11 Street names beginning with "The" can be used where there is a single unique identity in the town, and in this case a suffix is not required.

3.12 All **new** street names should ideally end with one of the following suffixes:

<b>Street</b>	for any thoroughfare with significant residential or retail presence
<b>Road</b>	for any thoroughfare
<b>Way</b>	for major or residential roads
<b>Avenue</b>	for residential roads (preferably tree lined)
<b>Drive</b>	for residential roads
<b>Grove</b>	for residential roads
<b>Lane</b>	for minor residential roads
<b>Gardens</b>	subject to there being no confusion with any local open space
<b>Place</b>	subject to there being no confusion with any local open space
<b>Crescent</b>	for a crescent shaped road
<b>Croft</b>	for residential roads
<b>Court</b>	for residential cul-de-sac only
<b>Close</b>	for a cul-de-sac only
<b>Square</b>	for a square development only
<b>Hill</b>	for a hillside or hill top road only
<b>Circus</b>	for a large roundabout
<b>Vale</b>	for residential road
<b>Dene</b>	for residential road
<b>Rise</b>	for residential road
<b>Mead</b>	for residential road
<b>Row</b>	for residential road
<b>Wharf</b>	for residential road (only for exceptional use alongside a water course)

3.13 Street Name Suffixes assigned by previous councils or are recorded being used in the history of Southam can be used where appropriate.

3.14 A street which is intersected by another street/streets or path, and so has no unbroken continuity, may have its geographical location clarified by the addition of principle compass points, North, South, East or West e.g. Welsh Road West.

3.15 All new pedestrian ways should end with one of the following suffixes:

Walk  
Path  
Way  
Lane

3.16 All new large building names should end with one of the following suffixes:

Lodge  
Apartments  
Mansions  
House  
Court (residential only)

3.17 The numbering of properties on any street and their associated post code is the sole responsibility of SDC.

#### **4. Related documents**

4.1 List of historic street names

4.2 List of current street names

#### **5. Policy Review**

5.1. Requested exceptions to this policy are subject to review at any time but subject to the agreement of the full STC council.

5.2.1 The Policy is subject to formal review annually

5.2.2 The list of names recorded under 3.8.2 and the associated progress on street name allocation will be reviewed as per the formal annual review.

## APPLICATION TO NAME A NEW STREET

Complete this form if you wish to register a deceased family member to be remembered by the naming of a new street. **Only one application per family will be accepted. To qualify the proposed individual must have been a former town resident and have lost their life on active duty as a consequence of service with the British Armed Forces, or duties performed for the Emergency services e.g. Police, Fire, Ambulance.**

### **SECTION 1.**

YOUR NAME (Applicant)

ADDRESS

TELEPHONE

E-MAIL ADDRESS

<input type="text"/>	<input type="text"/>
----------------------	----------------------

### **SECTION 2.**

Details of the person you are proposing to be remembered by the naming of a new street

FULL NAME OF THE PERSON YOU ARE PROPOSING

YOUR RELATIONSHIP TO THIS PERSON

Please briefly describe the circumstances that arose that you believe qualify the person you are proposing to be remembered by the naming of a new street.

**SUGGESTED NAME FOR THE NEW STREET (Optional)**

**NOTE**

The name to be considered must be the family name and a single forename. The forename can either be the forename on the birth certificate or the familiar name.

**SECTION 3.**

**WHAT HAPPENS NEXT**

On receipt of your application form the Council will verify the details and if all is in order and approved you will be notified. Your application will be registered on a list ordered chronologically by the date and time received and verified and you will be informed what position your application occupies. The list will be maintained by the council and reviewed formally on an annual basis.

When the council is advised a new road requires naming the first registration on the list will be taken forward for allocation and the applicant contacted to agree the final name. In the event the Town Councils list contains more than one request and there are multiple new roads requiring names then assignment will be no more than 1 in 10 of new street names, and provided that they are not in close proximity.

**NOTE**

Streets that are so named in remembrance of individuals cannot be used as a memorial to that person.

**YOUR SIGNATURE**

**DATE**

--	--

Return this form by post to the Town Council, sign, scan and send by e-mail, or hand it to a member of staff in person at the Grange Hall.

---

**FOR OFFICE USE ONLY**

**SIGNED RECEIVED**

**DATE AND TIME RECEIVED**

--	--

**HEALTH AND SAFETY**  
**HEALTH AND SAFETY AT WORK etc ACT 1974**

**1. Aim**

- 1.1 To provide and maintain safe working practices, equipment and systems of work for all employees and councillors
- 1.2 To safeguard Southam community residents at events, on equipment or in buildings that are the responsibility of Southam Council
- 1.3 To ensure that the requirements of the Health and Safety at Work Act 1974 and COSHH Regulations 2002 are fulfilled
- 1.4 The policy will be kept up to date

**2. Responsibilities**

- 2.1 Southam Town Council collectively is ultimately responsible for Health and Safety issues except where that responsibility is shared with recognised partners such as Stratford District Council (Grange Hall Stewards and shared ownership land).
- 2.2 The Town Clerk has delegated responsibility for the day to day management, maintenance, monitoring and reporting of Health and Safety in the Town Council offices, the safe working practices of the Deputy Clerk Finance Officer, Community Halls Administrator, subcontractors (are responsible for themselves) and for the management and maintenance of equipment, property and lands.
- 2.3 The Grange Hall Management Committee is responsible for safety at the Grange Hall
- 2.4 The Accident Record Book is kept at the Town Council Office
- 2.5 Whenever an Employee, Councillor, Grange Hall Steward or member of the Grange Hall Management Committee notices a Health or Safety problem they must report it to the Town Clerk, Deputy Clerk or Finance Officer
- 2.6 All employees, Councillors, and volunteers have the responsibility to achieve a healthy and safe workplace and to take reasonable care of themselves and others

**3. Procedures**

- 3.1 Induction – on appointment all new staff will be given a copy of the Health and Safety Policy and an induction by the Town Clerk (or a delegated Councillor) on safe working practices in the office and any health and safety responsibilities. On election, all new Councillors will be given a copy of the Health and Safety Policy
- 3.2 Risk assessment –a Risk Assessment form will be completed by the Town Clerk or

Deputy Town Clerk 5 days before any event or public meeting arranged by Southam Town Council which is held in or on Southam Town Council property or land. Southam residents and organisations wishing to hold meetings or events in or on Southam Town Council property or land will carry out a Risk Assessment at least 5 days in advance and provide the Town Clerk with a copy. The Town Clerk will maintain a file of completed Risk Assessments.

#### **4. Insurance**

- 4.1 An emergency contacts list will be reviewed annually and included in Southam Town Council's Emergency Plan
- 4.2 In the event of an accident involving a member of staff, Councillor, member of the public, contractor working or visitor on or in Southam Town Council property or land, a report will be completed in the accident book held in the Town Council office.
- 4.3 Major injuries, work-related diseases, dangerous occurrences (near miss accidents) and work-related deaths should follow the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) by calling the Incident Contact Centre on 0845 300 99 23 and the details entered into the Accident Book
- 4.4. In the event of contentious public meetings advice should be sought from the police in order to maintain public safety and order. For security purposes, the Town Clerk should have access to a mobile phone during Town Council meetings.
- 4.5 At the beginning of Town Council and other public meetings the Mayor (or chair of the meeting) should point out fire exits and evacuation procedure.

#### **5. Safe use of materials, equipment, manual handling, and safe working practices**

- 5.1 All staff should be informed of the need for safe use of materials and equipment. Where hazardous substances such as cleaning agents and decorating materials are in use, a list of these substances and a risk assessment will be carried out according to the Control of Substances Hazardous to Health Regulations 2002 (COSHH).
- 5.2 Under Health and Safety (Display Screen Equipment) Regulations 1992 staff who regularly use VDU display screen equipment will be entitled to request an eyesight test to be carried out by a competent person.

#### **6. Safety checks**

- 6.1 The Southam Town Council Assets Register lists all equipment owned by the Town Council which must be tested for safety and completeness. Safety checks may be delegated to suitably qualified 3<sup>rd</sup> parties e.g. play equipment by Coventry Contract Services
- 6.2 These include:



### First Aid Boxes

The Grange Hall Administrator is responsible for ensuring they are stocked and located in the kitchen of the Grange Hall and the Town Council Office

### Play Areas and Open Spaces owned the Town Council

The Town Clerk is responsible for ensuring that regular inspections take place by the Town Council Maintenance Contractor, with quarterly formal inspections and an annual inspection. The Town Council appointed Tree Surgeon carries out an annual inspection and an in depth 5 yearly inspection. The Tree surgeon will also support the council in any insurance claims. Reports are submitted to the Town Clerk to take the necessary action and raise with the Council necessary

### Fire Extinguishers, Fire Exit Light and Electrical equipment

A schedule of checks and test reports will be maintained by the Grange Hall Administrator and any issues are brought to the attention of the Grange Hall Management Committee and Grange Hall Stewards

## **7. Lone working**

- 7.1 It is the employer's duty to assess risks to lone workers and take steps to avoid or control risks where necessary

## **8. Smoking**

- 8.1 It is against the law to smoke in the Town Council Office or in The Grange Hall

## **9. Employee Work Stations**

- 9.1 All employees are required to complete the Town Council Work Station Assessment form within the first month of employment, this form should be reviewed by the employee on an annual basis and any issues arising reported to the Council

## **10. Annual reporting**

- 10.1 The Town Clerk will notify Town Council or the Mayor and Deputy Mayor of any serious breaches of Health and Safety as they arise.

## **11. Related Documents**

- 11.1 Accident Book
- 11.2 Risk Assessment Form and guidance
- 11.3 Insurance cover
- 11.4 Assets register
- 11.5 Inspection records of council owned Play Areas and Open Spaces
- 11.6 Electrical certification records
- 11.7 Job descriptions
- 11.8 Work Station Assessment Forms

## **LONE WORKING**

### **1. Aim**

- 1.1 Southam Town Council has a duty of care under the Health and Safety at Work Act 1974 and the Management of Health and Safety at work Regulations 1999.
- 1.2 The Council have a legal obligation to look after the health, safety and welfare of their employees and contractors.
- 1.3 Employees may be required to work by themselves from time to time and this policy is to ensure the following:
  - Increase employee awareness of safety issues relating to lone working
  - Ensure that the risk of lone working is assessed in a systematic and ongoing way, and that safe systems and methods of work are put in place to reduce the risk so far as is reasonably practicable
  - Ensure that appropriate training is available so that employees are able to recognise risk and to provide practical advice of safety when working alone
  - Encourage full reporting and recording of any incidents relating to lone working

### **2. Responsibilities**

- 2.1 Southam Town Council, Town Clerk, Deputy Clerk and Finance Officer

### **3. Procedure**

#### 3.1 Lone Working/Lone Workers

These are people who work by themselves without close or direct supervision

At a fixed base (office or other)

- Only one person working on the premises
- Working separately to others
- Working outside normal hours

#### 3.2 Potential Risks to Lone Workers

- Open access and unlocked doors - accessible to the public
- Being taken ill whilst at work
- Hazards in the workplace
- Remote areas
- Parking arrangements – poorly lit and isolated

#### 3.3 Staff are expected to familiarise themselves with the layout of the building including fire exits and escape routes

#### 3.4 Keep the Town Council Office door locked at all times

- 3.5 Do not open the door to unexpected visitors. In the case of contractors ask for identification. If still unsure check with the contractors employer/head office
  - 3.6 Have contact numbers at hand (Town Clerk, Deputy Clerk, Community Halls Administrator , Finance Officer and Councillors) in order to contact someone in case of illness etc.
  - 3.7 In the event of an intruder immediately activate the panic button in the office by the hatch or call 999
  - 3.8 Park as near as you can to the Town Council Office
  - 3.9 Ensure that you have made someone aware e.g. work colleagues that you are going to be in the Town Council Office on your own
- 12.10 Where possible, after meetings ask for someone to wait with you while you lock up

#### **4. Managers**

- Will try to avoid the need for lone working as far as is reasonably practicable;
- Ensure that the worker is competent to work alone;
- Ensure that all lone working activities must be formally risk assessed. This should identify the risk to lone workers; any control measures necessary to minimise those risks; and emergency procedures;
- Arrangements for lone working must be made clear to staff and the details of what can or cannot be done while working alone explained;
- Lone workers must be informed of the hazards and understand the necessary control measures that need to be put in place and have the opportunity to contribute to the risk assessment;
- Must raise the alarm if staff cannot be contacted or do not return as anticipated
- Must ensure that all staff are aware of this lone working policy and procedure and provide appropriate levels of training and guidance on lone working.

#### **Schedule 2 Lone workers**

- Take reasonable care of themselves and others who may be affected by their work
- To follow any instruction given by management or the council
- Raise with their line manager any concerns they have in relation to lone working
- Not to work alone where there is inadequate information to undertake a risk assessment.

- Inform their line manager at the earliest opportunity in the event of an accident, incident of violence or aggression whilst working alone
- To check and confirm that all communication systems are working before commencing work.

#### **Staff**

- To be aware of colleagues working on their own and alert to unexpected changes of routine, unanticipated periods where there is no communication.

### **5. Policy Review**

To be reviewed annually

## RECRUITMENT

### **1. Aim**

That Southam Town Council is an equal opportunities employer and applies a professional approach to recruitment

### **2. Responsibilities**

2.1 The Town Clerk in conjunction with the appointed Personnel Working Party has delegated responsibility to recruit and appoint all staff (not including the Town Clerk).

2.2 In the case of the appointment of the Town Clerk the Personnel Working Party will make a recommendation to full Council for approval.

### **3. Procedure**

3.1 All Town Council vacancies will be advertised in the public domain, as appropriate, using one or more of the following methods:

- Local Newspapers
- Employment Agencies
- Town Council Website
- Town Council Noticeboard (s)
- Association of Local Councils (WALC)
- Society Of Local Council Clerks (SLCC)

3.2 All persons seeking a position with the Town Council will be issued with a role description and person specification. They will be required to complete the appropriate job application form and provide references

3.3 The Personnel Committee has delegated authority to recruit and appoint all staff. However, in the case of the appointment of the Town Clerk, the Personnel Committee will interview and recommend a suitable candidate to full Council for approval

3.4 Interviews will be held as appropriate for the position being filled

3.5 The offer of a position will be subject to the receipt of satisfactory references

3.6 Successful applicants will be provided with a Contract of Employment, which will specify the probationary period

3.7 Salary will be commensurate with the type of employment and experience of the person. Salaries will be set in accordance with the provisions of the NJC for employees of local government and in line with scales set by the NALC/SLCC. All employment will be subject to English Employment Law

4. Policy Review: To be reviewed annually

## TRAINING POLICY

### **1. Aim**

- 1.1 To equip employees and Councillors with the necessary skills, knowledge and attitudes to meet the Council's needs in relation to its objectives. By investing in people through their training the Council will harness their full potential and focus their energies on the needs of the Council while fulfilling their need for personal development and job satisfaction.
- 1.2 The Council recognises that such development is a continuing process for both employees and Councillors and training is seen as a necessary investment in order to provide high quality services to the community.

### **2. Employee's and Councillor's Role**

- 2.1 To identify training needs in relation to their personal objectives and those of the Council.
- 2.2 Be aware of training and development opportunities open to them and request training where appropriate.
- 2.3 To evaluate the effectiveness of training with their line manager or give feedback give feedback to the Personal Working Party
- 2.4 To share learning experiences wherever possible

### **3 Areas of Training**

#### **3.1 Induction**

The aim is to enable any newcomer to adjust as quickly as possible and to achieve effectiveness in the shortest possible time.

New employees and Councillors should be provided with information and instruction on how the Council operates and how any specific role fits into the work of the Council. New Councillors will be offered a mentor during their first year in office.

Supplementary Induction training will be organised to encompass the wider aspects such as the structure and function of the Council, the role of Councillors, decision making and the services of the Council.

### **3.2 WALC Training Courses**

WALC provides training under the 'National Improvement Strategy for Parish and Town Councils'. The National Training Strategy (NTS) represents a national commitment to training in the local council sector shared by national, regional and local stakeholder organisations. The purpose of the Strategy is to offer training to councils in order for them to make the most of their role and carry out their duties more easily.

Councillors and employees should identify such training according to their individual needs and disciplines.

### **3.3 Professional and Technical Training**

The Council will assist in training and further education in pursuit of qualifications for employees where a clear link can be made to meet the service objectives. Employees are encouraged to obtain professional certification and keep up to date with changes and developments in their particular field, e.g. AAT qualification, Certificate in Local Government Administration.

### **3.4 Health and Safety**

The Council and individual employees all have a role to play in ensuring a healthy and safe working environment. Training is provided as part of the employee's induction and courses arranged according to needs.

## **4 Responsibility for Training**

The Personnel Working Party has a key role to play in training by: -

- a) Demonstrating a commitment to train and develop employees and Councillors in relation to the Councils objectives
- b) Ensuring that training and development plans are focused on the needs of the Council.
- c) Develop a training and development plan for the Town Clerk
- d) Ensure where possible that training and development needs are evaluated, and benefits identified

### **4.1 The Town Clerk**

The Town Clerks responsibilities are to:-

- a) Induct new employees.
- b) Identify training needs jointly with employees in relation to individual objectives and disciplines.

- c) Carry out and delegate on-the-job instruction and coaching.
- d) Make all staff and Councillors aware of training and development opportunities open to them.
- e) Ensure that those who are trained share their learning with others wherever possible and appropriate.
- f) Evaluate the effectiveness of training events in relation to service and individual objectives with those involved,

5. **Policy Review:-** To be reviewed annually



## **EMERGENCY CALL-OUT**

### **1. Aim**

To set out the remuneration and procedure when staff are required to respond to alarm alerts.

### **2. Responsibilities**

Those staff that have agreed to undertake this responsibility. It is the responsibility of the Town Clerk to ensure the contact list of Southam Town Council keyholders is always up to date.

### **3 Procedure**

Staff must not attend alone. On receiving an alarm alert the member of staff should see if a family member is available to accompany them. If not, the member of staff called out must contact another member of staff on the contact list to assist them. In the latter case both members of staff would be paid as stated below.

### **4 Remuneration**

The call-out rate is a minimum of one hour at time and a half and only payable to Southam Town Council Keyholders

### **5 Policy Review:- To be reviewed annually**

## COVID -19

### 1. Aims

- 1.4 Southam Town Council aims to give guidance on actions recommended for anyone who has developed Covid-19 symptoms and is working within, or attending any activity within Southam Town Council property. The purpose is to minimise the possibility of cross infection.
- 1.5 This procedure will be implemented within the framework of current legislation and NHS Guidance and applies to employees, councillors, contractors, volunteers, job applicants and users of Southam Town Council's property

### 2. Responsibilities

- 2.1 It is the responsibility of every person to whom this policy applies, to adhere to this procedure.
- 2.2 The Town Clerk is responsible for ensuring all persons to which this procedure applies are aware and compliant.
- 2.3 The Town Clark may require users of Town Council property to have a nonintrusive temperature check before entry.

### 3. Procedures

- 3.1 The following NHS guidance should be followed where a person feels too ill to work for any reason, has a high temperature or has tested positive for COVID-19.

Stay at home and avoid contact with others if you have tested positive for coronavirus (COVID-19) or have symptoms of COVID-19.

- 3.2 If you have COVID-19, you can pass on the virus to other people for up to 10 days from when your infection starts. Many people will no longer be infectious to others after 5 days.

You should therefore try to stay at home and avoid contact with other people for 5 days and avoiding meeting [people at higher risk from COVID-19](#) for 10 days, especially if their immune system means they're at higher risk of serious illness from COVID-19, even if they've had a COVID-19 vaccine.

- 3.3 There is no need to stay away from work if you come into close contact with a person who feels too ill to work for any reason, has a high temperature or has tested positive for COVID-19.

However, the following precautionary measures should be considered.

- meet people outside if possible
- open doors and windows to let in fresh air if meeting people inside
- limit the number of people you meet and avoid crowded places
- wear a face covering when it's hard to stay away from other people – particularly indoors or in crowded places
- wash your hands with soap and water or use hand sanitiser regularly throughout the day.

#### **4. Returning to Work**

4.1 You should return to work after 5 days if you have no symptoms regardless of any test result. However, if you test positive you will be required to wear a mask for the 5 consecutive days following your return to work, unless you test negative within those 5 days, at which point you can cease wearing a mask.

4.2 If you are still feeling ill after 10 days please follow the Sickness Absence Policy

#### **5. Policy Review**

To be reviewed annually

## **COMPASSIONATE LEAVE**

Leave at the Council's discretion may be granted for bereavement of a close relative or family member or where a close relative or family member is seriously ill. In this context, a close family member includes: -

- Your spouse or partner
- Your mother or father (including adoptive parents)
- The parents of your husband/wife or partner by virtue of a Civil Partnership.
- Brother or sister.
- Any person who is financially dependent on you.
- Brother or sister by adoption.
- Grandparents of either the husband/wife or that of a partner with whom you have entered a Civil Partnership.

All other cases will be decided on a discretionary basis by your line manager in the first instance or by the Chair of the Personnel Working Party.

### 1.1 Bereavements

In recognising the particular difficulties that bereavement presents, it is the Council's policy that employees are entitled to take up to 5 day's paid leave following the death of a close family member, defined as spouse, partner, child (including foster child), parent, parent in law, step parent, grandparent, brother and sister.

Guideline framework for leave:

5 days for spouse/partner/mother/father/child/foster child

1 day parent-in-law, step-parent, brother, sister

1 day grandparent

When considering requests for bereavement leave, The Town Clerk or (in the case of the Town Clerk), the Personnel Working Party, should take the following factors into account:

The relationship between the employee and the deceased.

Responsibility for the affairs of the deceased.

The distance to travel.

Grief will affect different employees in different ways and there is a need to be sensitive to this. Where there is a clear medical reaction to grief, resulting absences should be treated as sick leave not special leave.

### 1.2 Terminal [Serious Illness of a Close Relative

The Council will grant up to 5 days paid leave. The Town Clerk and or the Personnel Working Party need to consider each case and to include the following factors when making a decision.

The trauma of the circumstances.

The closeness of the relationship and the degree of responsibility for caring.

If the employee requires a longer period of leave, the Town Clerk must consult with the Chair of the Personnel Working Party to see whether special arrangements can be made. If the member of staff in question is the Town Clerk, the Personnel Working Party will consider the situation and make a recommendation to Council.

## **2. Policy Review**

To be reviewed annually

## **EMERGENCY LEAVE**

### **Purpose and scope**

All employees with dependants can take reasonable unpaid time off to deal with unforeseen emergencies. This is unlikely to amount to more than a day or two a year.

This policy covers all instances where you may need to take unplanned absence to attend to urgent or serious situations affecting your dependants and where no alternative provision is available.

Emergency leave is designed to provide carers with the opportunity to make alternative arrangements for the care of dependants. The Emergency leave policy is not intended to be used to allow carers to look after dependants on an ongoing basis (although time off may be available under other policies).

### **Taking emergency leave**

Dependents include parents, husband, wife, partner, civil partner, children or individuals living as part of the family for whom you are the main carer or an individual who depends on you for care, e.g. an elderly neighbour.

Emergency leave is only intended to cover unplanned absence to attend to urgent or serious situations affecting your immediate family or dependants. It is impossible to provide a complete list of circumstances that are covered under the policy; however, the most common circumstances are as follows: -

- to provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted
- to make arrangements for the provision of care for a dependant who is ill or injured,
- as a result of the death of a dependant,
- because of the unexpected disruption or termination of arrangements for the care of a dependant, or
- to deal with an incident which involves a child of the employee and which occurs unexpectedly when the child is at school

As soon as is reasonably practicable in the circumstances, contact the Clerk (or Chair of the Personnel Working Party) by telephone to explain the circumstances, and if possible, an indication of the length of time-off you are likely to need in order to make alternative arrangements. If the Clerk (or Chair of the Personnel Working Party) is unavailable, you must contact another member of the Personnel Working Party instead. Unpaid leave will be considered on a case-by-case basis to be agreed with the Town Clerk and Personnel Working Party.

If you need to stay and care for a dependant on an ongoing basis you can agree with the Clerk (or Chair of the Personnel Working Party) to take annual leave; or where you have insufficient annual leave to take a period of unpaid leave. Alternatively, you may be able to take Parental Leave where the care is for your child.

This is a non-contractual procedure which will be reviewed annually

## **FLEXIBLE RETIREMENT**

### **Introduction**

- 1.1 Under the Local Government Pension Scheme (LGPS), employees aged 55 or over may receive their accrued pension benefits whilst remaining in employment, provided that they reduce their grade or hours of work and they have the consent of their employer. This is known as 'Flexible Retirement'.
- 1.2 Once an employee has flexibly retired, they may continue to build up benefits in the LGPS if they wish.

### **Benefits of flexible retirement**

- 2.1 Flexible retirement can be beneficial to both the Council and employees by:-
- Enabling employees to balance work with other responsibilities, for example caring or volunteering
  - Enabling employees to work towards retirement gradually
  - Enabling effective succession planning and transfer of valuable knowledge and skills before retirement
  - Helping to manage organisational change by providing an alternative to redundancy
  - Saving on recruitment and other costs
  - Supporting our flexible working arrangements ● Supporting our aim to be an employer of choice

### **Scope**

- 3.1 This document applies to all Southam Town Council employees who are members of the LGPS and who meet the eligibility requirements.

### **Eligibility**

- 4.1 To be considered for flexible retirement the employee must be a member of the LGPS and:-
- Be aged between 55 and 74
  - Have at least 2 years' membership of the LGPS, or have transferred the equivalent pension rights into the LGPS
  - Reduce their hours in their current job

### **Employer consent**

- 5.1 Requests for flexible retirement are subject to the approval of the Personnel Working Party and ratification by Council
- 5.2 There is no automatic right to flexible retirement. It can only be taken if Southam Town Council gives its consent. The Council will only usually consent to an application to reduce working hours where the reduction is at least 40% of existing working hours.

- 5.3 Requests for flexible retirement will be subject to operational considerations and only granted on the merits of each individual case, taking into account:-
- The need for retention of experience and specialist or shortage skills to ensure continuity of service provision
  - Available resource and the effect on the ability to meet the Council's service delivery
  - Whether flexible retirement may be part of succession planning
  - Whether work can be re-organised or whether additional recruitment or training is required
  - Potential savings for Town Council
  - The cost to the Town Council
  - Whether redundancy may be avoided
- 5.4 When flexible retirement is not seen to be in the Council's interests for any reason, then permission will be withheld.
- 5.5 The "actuarial costs" i.e., costs associated with withdrawing pension entitlement before normal retirement age, will normally be met by the employee by a reduction in the benefits they receive.
- 5.6 In some cases, where an employee is aged between 55 and 59 and they meet the 'rule of 85' then certain benefits are protected from actuarial reduction on flexible retirement, in which case, the Council must meet the actuarial cost. In such cases, the application will only be granted where there is a strong business case for doing so, for example, the retention of specialist skills, and where it is possible to recoup the cost in salary savings over a reasonable period of time.
- 5.7 The Council and the Employee may mutually agree an end date for the flexible retirement.
- 5.8 An employee may only flexibly retire once under this policy. Once flexible retirement is granted, any further changes to an employee's hours will be considered in line with the Council's Flexible Working Policy.
- 5.9 The Council will not normally redesign an existing post in order to facilitate a change in grade purely for the purpose of facilitating flexible retirement. Exceptional circumstances may be considered in individual cases (for example the need to retain a particular skill or other business benefit.)
- 5.10 Flexible retirement is a voluntary option and employees cannot be compelled to enter into a flexible retirement arrangement by the Council. As part of their regular discussions with staff, the line manager may wish to advise employees that flexible retirement could be a mutually beneficial option where this would meet both the operational demands of the service and the individual circumstances of the employee, subject to a suitable business case being submitted and accepted by the Council.



## **Financial considerations for employees**

- 6.1 Flexibly retired employees receive their pension benefits accrued to the date of their flexible retirement (usually actuarially reduced where the employee is below their normal retirement age), together with the salary and conditions appropriate to their new grade/working hours. Where working hours are reduced, salary and benefits such as annual leave are pro-rated.
- 6.2 The Council will only consent to a flexible retirement application where the employee elects to draw all of the benefits that relate to any LGPS membership.
- 6.3 Employees will have a choice to re-join the LGPS from the date of the flexible retirement, provided they meet the eligibility requirements of the scheme.
- 6.4 Taking flexible retirement may impact on the value of your benefits, your rate of taxation, and other benefits under the LGPS such as ill-health, redundancy and death in service. Employees are therefore advised to take independent financial advice as to how flexible retirement will affect them, prior to making a request.

## **Roles and Responsibilities**

### **Line manager responsibility**

- 7.1 Consider all requests for flexible retirement in a fair and consistent manner.
- 7.2 Obtain information about the potential employer costs of early retirement from Pension Services.
- 7.3 Complete business case and seek recommendation from the Personnel Working Party. The recommendation then needs to be ratified by the Town Council.
- 7.4 Write to the employee to confirm the outcome and ensure that any approved changes to contractual arrangements are implemented in accordance with the Councils resolution.

### **Employee's responsibility**

- 7.5 To initiate any request for flexible retirement in line with this policy and with as much notice as possible.
- 7.6 To seek their own advice as to how flexible retirement may impact them financially.

### **Responsibility of the Personnel Working Party**

- 7.7 In determining whether flexible retirement should be agreed, to apply this policy fairly and consistently, giving full consideration to the impact (whether positive or negative) on the service and to the recoverability of any cost to the Council.

- 7.8 Applications are subject to the approval of the Personnel Working Party, based on a recommendation by Town Clerk and ratified at a full Council. Where it is the Town Clerk who is applying for flexible retirement, an application should be made directly to the Personnel Working Party.

### **Pension Service Responsibility**

- 7.9 To provide individual estimates of pension benefits on flexible retirement and confirmation of actuarial costs to be met by the Council (prior to a decision being made).

### **Who to Contact**

- 8.1 For detailed information on pensions contact:-

*Pension Service* 01926 412682 [pensions@warwickshire.gov.uk](mailto:pensions@warwickshire.gov.uk)

[Warwickshire Pension Fund homepage – Warwickshire Pension Fund](#)

## **9. Policy Review**

To be reviewed annually

## **MATERNITY LEAVE AND PAY**

### **1 Purpose and scope**

This policy and procedure apply to all current employees, whether full or part-time, temporary or fixed term.

The purpose of this policy and procedure is to provide clear information about our maternity provisions. This document sets out our policy on maternity leave, pay, and arrangements surrounding returning to work after maternity leave. It also sets out the procedures which we need to follow at various stages, before, during and after maternity leave.

This document provides basic guidance on the health and safety aspects of working whilst pregnant.

### **2 Procedure**

#### **Telling your manager that you are pregnant**

As soon as you know that you are pregnant, you are encouraged to let us know. This is in your own interests and ensures that we can take any necessary steps to look after your health and safety and that of your baby.

As soon as you tell us that you are pregnant, we will conduct an assessment of any health and safety risks to you or your baby. Early notice also allows us to let you know what your rights will be to maternity leave and pay. However, you do have the right to wait until the 15th week before you expect the baby before telling us that you are pregnant. Either way, you are required to confirm in writing the fact that you are pregnant, attaching a copy of your MAT B1 and indicating when you expect to start your maternity leave. You should note that you have the right to change the start date of your maternity leave provided that you give at least 28 days written notice of the change, or if that is not possible as soon as reasonably practicable.

#### **Note on the MAT B1 certificate.**

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

### **3 Entitlements**

#### **Ante-natal care**

During your pregnancy, your doctor/midwife will make regular appointments with you for ante-natal checks, scans, tests etc. You are entitled to take reasonable time off work to attend these appointments, regardless of your length of service or the hours that you work. This time off will be paid, and you will not be expected to make up the time. You should, however, give us as much notice as possible of your appointments

and, after the first one, should present the appointment card from the hospital or clinic.

### **Maternity leave**

You are entitled to take up to 52 weeks' maternity leave. This is made up of 26 weeks of ordinary maternity leave (OML) plus 26 weeks' additional maternity leave (AML). As set out below in more detail, you also have the right to return to work after the end of your OML or AML. This right applies to all female employees regardless of length of service or the number of hours worked per week.

You can choose when to start your maternity leave. This can be any date from the beginning of the 11th week before the week the baby is due. The law requires that an employee take a minimum of two weeks maternity leave immediately following the birth.

### **Sick leave during your pregnancy or maternity leave**

If you are off sick due to a pregnancy-related illness any time after the beginning of the fourth week before the start of the expected week of childbirth (EWC), then your maternity leave period will begin straight away.

If you are off sick due to a non-pregnancy-related illness any time after the beginning of the fourth week before the start of the expected week of childbirth (EWC), it will be treated as sick leave in the usual way.

Any pregnancy related sick leave taken before the start of the fourth week will be treated as sick leave in the usual way.

### **Early births**

If the birth of your baby occurs before the 11th week before the EWC or your planned date of leaving, your maternity leave will commence the day after your baby is born.

### **Maternity pay**

You are eligible to receive 39 weeks statutory maternity pay (SMP) if:

- You have at least 26 weeks' continuous service with the council by the end of the 15th week before the expected week of childbirth (EWC) ("the qualifying week"), and,
- You have average weekly earnings in the eight weeks up to and including the qualifying week of at least the lower earnings limit for Class 1 National Insurance contributions.

If you qualify for SMP, it will usually be paid for a period of up to 39 weeks. Rates are fixed by law and are subject to tax and National Insurance deductions. During the first 6 weeks of this 39-week period, SMP is paid at 90% of your average weekly earnings; thereafter you will receive the weekly lower statutory maternity rate or 90% of your weekly earnings, whichever is the lesser amount. Your average weekly earnings are calculated over the 8 weeks prior to the end of your qualifying week

(15th week before the EWC) (see here for details of statutory rates - [www.gov.uk/maternity-pay-leave/pay](http://www.gov.uk/maternity-pay-leave/pay)).

If you do not qualify for SMP you may be eligible to receive Maternity Allowance. If you are not entitled to statutory maternity pay, we will issue you an SMP1 form to allow you to claim the Maternity Allowance.

### **Shared Parental Leave (SPL)**

You are entitled to curtail your maternity leave and pay and instead take SPL and pay with your partner/the father of the child, subject to meeting the eligibility criteria. SPL enables parents to choose how to share the care of their child during the first year of birth. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. See the Shared Parental Leave Policy.

### **The effect of maternity leave on contractual benefits**

During your maternity leave you will be entitled to receive the contractual benefits that you would normally receive if you were at work with the exception of cash benefits (e.g. remuneration and allowances).

On return to work following OML and AML you are entitled to benefit from any general improvements to the rate of pay (or other terms and conditions) that you would have received had you been at work. This may also lead to a re-calculation of your SMP Entitlements.

### **Annual leave**

Your contractual annual leave entitlement continues to accrue during your maternity leave. You can choose to take any leave accrued, as a block, either before you commence maternity leave, immediately upon your return to work or a combination of the two. You should be aware that if you take the annual leave before starting maternity leave and then leave employment mid-way through the maternity leave, the usual deductions will apply from your final salary, or we may ask for an appropriate refund. In this instance your contractual annual leave only accumulates up to your last day at work.

Bank Holidays will not automatically accrue during maternity leave and will not be given back unless there is a shortfall in statutory leave entitlement of 28 days where they will be used to make up that shortfall. Any accrued statutory annual leave (28 days) which has not been taken during the holiday year(s) because you have been on maternity leave, will be credited upon your return from maternity leave.

### **Pension scheme**

Occupational pension contributions continue during OML and during any period of paid maternity absence.

## **4 Maintaining contact during maternity leave**

Some people choose to have little if any contact with work during their maternity leave while others want to maintain a high level of contact. Before you start your maternity leave, we will meet with you to discuss reasonable contact arrangements during your maternity leave. Below is a list of the sorts of information you may want to be kept informed about:

- Notes of important meetings or announcements affecting staff
- Details of internal vacancies which arise
- Details of significant developments to working practices
- Details of any training courses which are offered to the team

There may be occasions when we need to contact you even if you have indicated that you do not wish to be contacted. In these circumstances contact will only be made when there is significant information which might affect you. For example, where there are changes proposed to the job you are expected to return to.

### **Keep in Touch (KIT) Days**

You may work for up to 10 days during your maternity leave. KIT days can only be worked by mutual agreement; that is to say both you and the council must agree to the work / training taking place. When agreeing KIT days, we will agree the type of work to be carried out and the duration in advance. You will receive your normal contractual rate of pay for the hours worked, however, if you are still in receipt of any maternity pay, this will be offset against this. Working for part of a day will count as one of your 10 days.

## **5 Returning to work**

We will assume that you will take your full maternity leave entitlement and intend to return to work doing the same job (see paragraph below regarding entitlement to return to the same job after maternity leave), with the same hours, unless you notify us, in writing, or request otherwise. In other words, you do not have to notify us if you intend to return to work at the end of your AML.

If you want to return to work before the end of your maternity leave, you will need to notify us in writing giving at least 21 days' notice of your intended return date. Where the notice given is less than 21 days, we may postpone the return to ensure 21 days' notice, but not beyond the end of the maternity leave period. You have the right to resume working in the same job if returning to work from OML. If you return to work after a period of AML, you are entitled to return either to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions which are not substantially less favourable than had you been able to return to the job in which you were originally employed.

If you decide not to return to work after your maternity leave, you will need to resign giving the appropriate notice as specified in your contract of employment.

## **Requesting a change to your pattern of work**

You have the right to request that we consider changing your pattern of work (subject to eligibility criteria). See the Flexible Working Policy.

## **6 Your health and safety**

### **Risk assessment**

Whilst most women are able to work normally during pregnancy there are some duties which are best avoided or minimised. We may be able to reorganise your work to avoid/minimise such duties or may arrange different work for you for health and safety reasons. Only in exceptional cases would other action be required e.g. suspension on medical grounds or other appropriate action.

Once you tell us of your pregnancy, we will hold a meeting with you to discuss health and safety issues. In consultation with you, we will complete a risk assessment, agreeing with you any measures to be taken. We will hold regular meetings with you throughout your pregnancy to review the initial assessment. If you have any concerns, please raise these directly with the council.

### **Data protection**

When managing your maternity leave and pay, we will process personal data collected in accordance with the data protection policy. Personal and or sensitive information is held securely and accessed by, and disclosed to, those who need to manage maternity leave and pay. Inappropriate access or disclosure of personal data would breach our data protection policy and should be reported immediately. A data breach may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

## **Frequently asked Questions**

### **Is working with Display Screen Equipment (VDU's) whilst pregnant a risk?**

Although there has been some anxiety around radiation emissions the Health and Safety Executive state that concerns are unfounded and there is no need to stop working with VDU's whilst pregnant. If you would like more information on this or any other Health and Safety matter, contact the Town Clerk for further information.

### **Do I have the right to return to my old job?**

At the end of your Ordinary Maternity Leave you have the right to go back to the same job on conditions no less favourable than would have applied if you had not been absent. At the end of Additional Maternity Leave you will normally return to the same job, but we are entitled, if that is not practical, to offer you an alternative job that is suitable and appropriate, i.e. on terms and conditions not less favourable to those you previously enjoyed.

### **What happens if my post is made redundant or changes whilst I'm on maternity leave?**

If this happens, we will consult with you as necessary and we will try to re-deploy you. Whenever possible you will be offered a suitable alternative vacancy on no less favourable terms. This would also be the case if any other exceptional circumstances, such as reorganisation, occur whilst you are on maternity leave and which require a change in the job to which you have been previously employed. In these situations alternative jobs will be sought that are suitable to you and to the circumstances.

### **What should I do if I don't know whether I want to come back to work or not?**

If you are not sure it is always best to keep your options open and maintain your right to return.

### **What happens if I am sick and can't come back at the end of my maternity leave?**

If you are unwell when your maternity leave is due to end, then you will need to get a note from the doctor stating that you are not able to return to work. From then on procedures will be in line with the Councils Sickness Absence Policy

### **What should I do if I want to return to work part –time?**

Whenever possible we will try to accommodate any request to return to work part time. Please also refer to the Town Councils Flexible Working Policy.

### **I'm returning to work but continuing to breastfeed, are there facilities available to me at work?**

We will, wherever possible, allow appropriate flexibility in working hours, including regular breaks for mothers who wish to express milk. Please give your manager 28 days notice to allow sufficient time to find a suitable location for you to use.



### **Does my maternity leave count as continuous service?**

Yes. Both OML and AML count as continuous service for statutory purposes and for the purposes of calculating annual leave and sick pay entitlements.

### **What happens if my baby arrives prematurely?**

Your maternity leave will be triggered automatically when the child is born and your entitlements would be the same as if you had given birth at the EWC.

### **What should I do if I miscarry?**

If you miscarry before 24 completed weeks of pregnancy you will be able to take sick leave. If you have a still birth after 24 completed weeks of pregnancy onwards you will be eligible to your maternity entitlements. If a baby sadly dies after birth or after a premature birth, then entitlement to maternity leave and SMP also remains the same. From 6 April 2020 if you have a still birth after 24 completed weeks of pregnancy you have a statutory right to parental bereavement leave, however, you may wish to consider the timing of taking this leave alongside your maternity leave as they two types of leave cannot be taken concurrently.

### **What happens if I have twins (or more)?**

You will be entitled to the same benefits regardless of how many babies you have.

### **What will happen if I become pregnant again whilst on maternity leave?**

If you become pregnant again whilst on maternity leave then you will again become entitled to OML and AML as appropriate, even if there is no interval between one period of maternity leave and the next. However, if the second period of OML is immediately after a previous period of AML, your rights on return are the same as when you are returning from AML, i.e. your right to return is to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions which are not substantially less favourable than had you been able to return to the job in which you were originally employed.

If you return to work for a day or more in between the first AML and second OML you will have the right to return to exactly the same job.

## **PARENTAL LEAVE**

An employee who has or expects to have responsibility for a child is entitled to take Parental Leave to care for that child. This includes the child's registered father or anyone else who has or expects to have formal parental responsibility for the child. To be eligible to take Parental Leave, an employee must have been employed by the Council for at least one year. Both parents can take Parental Leave for each child they have who was born after 15<sup>th</sup> December 1999.

### **Key points**

- Employees must have completed one year's continuous service with the Council to qualify.
- 18 weeks of unpaid leave can be taken up for children under 18 years.
- Leave may be taken straight after the birth or adoption or following a period of maternity leave.
- The leave can be taken in blocks of one week (part weeks count as one week) with a maximum of 4 per year, providing 21 days notice is given.
- Employees will need to request leave giving at least 21 days' notice before the intended start date. You must give this notice in writing to the Town Clerk or Chair of the Personnel Working Party
- Parental leave can be postponed by the Council if taking leave at the time requested would cause particular disruption
- If your leave is postponed, the Council will inform you within seven days of your request for leave being made, and your leave will be granted within six months.
- Your parental leave cannot be postponed if it has been requested for the time immediately after the birth of a child or the start of an adoption placement.

## PERSONAL LEAVE

### 1 **Leave for Examinations**

Leave of absence without loss of salary is granted to employees for the purpose of sitting for examinations which are the subject of a post entry training agreement. In addition, in most cases, leave of absence without loss of salary will be granted as follows:

- (a) One half day study leave in respect of each examination taken for the first time, plus time off for each examination;
- (b) a further half day study leave per examination for re-sits

### 2 **Jury Service**

An employee serving as a juror will claim the allowance for loss of earnings to which she/he is entitled under the Jurors' Allowances Regulations currently in force. The Council will then deduct from the employee's full pay an amount equal to the allowance received.

### 3 **School Governors, Special Constables or Public Duties**

The following procedure should be adopted as a mechanism for an employee of the Council to make an application for time-off for the above activities:

The member of staff to make an official request, in writing, to the Town Clerk and or Chair of the Personnel Working Party of time off required, The letter to include;

- details of the type of school and the nature of the Governing body's committee structure, or,

- details of the location and duties required of the Special Constable

The Town Clerk and or the Personnel Working Party, to make a decision on whether or not to approve the request, granting a maximum of up to three days paid leave per annum , to be taken as and when required having regard to the overall service requirements.

If the member of staff required additional time-off for unexpected official duties, a further request to be made to the Town Clerk and or Chair of The Personnel Working Party, who could, in consultation with the Personnel Working Party , grant an additional two days unpaid leave, at their discretion.

### 4 **Territorial Army (and other Reserve Forces)**

Employees who are attending annual camp may be granted two week's paid leave. Paid leave of absence will be granted to staff 'called up' for National defence duties.

## **SAFEGUARDING POLICY**

### **Definitions**

“Applicable Person(s)” means councillors, anyone working for or on behalf of the Council whether in a paid, voluntary, or commissioned capacity, and any individual using the Council’s facilities.

“Children” means anyone under the age of 18 years.

“Relevant Group(s)” means Children and/or Young People and/or Vulnerable Adults.

“Vulnerable Adult(s)” means anyone over the age of 18 years who is:

- Unable to care for themselves; or
- Unable to protect themselves from significant harm or exploitation; or
- May need community care services.

“Young People” means anyone under the age of 18 years.

### **Introduction**

1. This Safeguarding Policy (the “Policy”) has been developed in conjunction with Warwickshire County Council and the Warwickshire & West Midlands Association of Local Councils.
2. Everyone has a duty to safeguard the Relevant Groups. This Policy outlines the Council’s commitment to promote the safety of the Relevant Groups when using the Council’s facilities.
3. This Policy will be reviewed regularly.
4. This Policy applies to all Applicable Persons.

### **Promoting a safe environment**

5. To promote a safe environment for the Relevant Groups, the Council wishes to promote a safeguarding culture in its premises and activity areas. To achieve this, the Council will:
  - a. provide safe facilities and undertake regular safety assessments;
  - b. ensure that Applicable Persons are aware of safeguarding expectations;
  - c. ensure that the policy for users of Council facilities includes a requirement that they are safe to work with the Relevant Groups if appropriate; and
  - d. make available on public noticeboards and to all Applicable Persons relevant safeguarding contact details (see **Appendix A**)
6. the Council will require leaders of clubs and organisations using the Council’s facilities to:
  - a. have a sustainable safeguarding Children, Young People and Vulnerable Adults policy;
  - b. ensure leaders make their members aware of the Council’s Policy and ensure that it is followed at all times whilst using the Council’s facilities;
  - c. ensure safe recruitment so that any adults working with the Relevant Groups have had a DBS check completed;
  - d. ensure any adults working with the Relevant Groups have access to appropriate training and a safeguarding lead who can offer advice;
  - e. ensure any adults working with the Relevant Groups know where the first aid box is; and
  - f. ensure that risk assessments are carried out for activities where appropriate.

7. Applicable Persons have a duty of care to protect the Relevant Groups and report any safeguarding concerns to the relevant authority (see **Appendix A**). Applicable Persons are not responsible for deciding whether abuse is taking place.
8. Applicable Persons should be concerned by any behaviour, action or inaction which is currently significantly harming, or has the potential to significantly harm, the physical and/or emotional development of a Child, Young Person or Vulnerable Adult. Abuse falls into five main categories:
  - a. Physical Abuse;
  - b. Emotional Abuse;
  - c. Sexual Abuse;
  - d. Financial Abuse; and
  - e. Neglect.
9. Applicable Persons must also be aware that there are many other forms of abuse, such as Child Exploitation (Sexual Abuse and/or County Lines), Female Genital Mutilation and Domestic Abuse.
10. Applicable Persons who engage with the Relevant Groups should access appropriate safeguarding training.
11. If Applicable Persons have any safeguarding concerns, then they must contact the relevant authorities as soon as possible (see **Appendix A**).

## **Whistleblowing**

12. The Council recognises that the Relevant Groups cannot be expected to raise concerns in an environment where Applicable Persons fail to do so. Therefore, Whistleblowing procedures apply, and concerns need to be raised.
13. Applicable Persons should take care not to place themselves in a vulnerable position with the Relevant Groups. It is advisable for any work by Applicable Persons with Relevant Groups to be conducted in view of other adults.
14. Applicable Persons should be aware of their duty to raise concerns about the attitude or actions of an Applicable Person, at which point appropriate advice should be obtained from the relevant authorities as soon as possible (see **Appendix A**).
15. No attempt should be made to investigate or act before consulting the relevant authorities.

## Appendix A

<b>Contact</b>	<b>Email</b>	<b>Telephone</b>
<b>Children and Families Front Door (significant harm/risk to children)</b>	triagehub@warwickshire.gov.uk	01926 414144 (opt 3)
<b>Police</b>	Warwickshire police website	101 – if emergency 999
<b>LADO (Managing allegations against persons in position of trust )</b>	lado@warwickshire.gov.uk	01926 742689

Local Safeguarding Partnership Safeguarding Procedures:  
<https://www.stratford.gov.uk/people-communities/safeguarding>

# Closed Circuit Television (CCTV) Policy

## 1 Introduction

Closed circuit television (CCTV) is installed at The Grange Hall and Southam Flying Fields Community Hall for the safety and security of visitors, staff, assets, and premises. Cameras are located at various places on premises and their presence is clearly indicated by signs. From time to time the council may deploy temporary CCTV systems to gather data on issues identified in specific locations. Images from the cameras are recorded. There is no facility for automatic number plate recognition and no sound is recorded. Every effort is made to ensure that the cameras are as effective as possible, but no guarantee can be given that every incident taking place within the area covered will be detected.

The use of CCTV falls within the scope of several pieces of legislation including the Freedom of Information Act 2000, General Data Protection Regulation, and the Data Protection Act 2018. The Town Council's use of cameras is also informed by the data codes of practice for surveillance cameras and personal information published by the Information Commissioner's Office and the Surveillance Camera Commissioner.

Southam Town Council's CCTV systems will be used for the following purposes:

- To provide a safe and secure environment for staff, Hall users, contractors, and visitors.
- To help prevent, deter, and detect vandalism, crime, and disorder.
- To discourage anti-social behavior
- To assist the Police, Town Council and any other relevant law enforcement agencies with detection and identification of offenders

## 2 Data Protection Statement

- Southam Town Council is the Data Controller under the Data Protection Act 2018 Act.
- CCTV is installed for the purpose of visitor, staff, asset, and premises safety and security.
- Access to stored images will be controlled on a restricted basis within the Council and limited to authorised persons.
- All authorised employees with access to images are aware of the procedures that need to be followed, and the restrictions in relation to access to, and disclosure of, recorded images.
- The Grange Hall Centre system comprises of 16 fixed cameras and The Southam Flying Fields center system of 6 fixed cameras There is no sound recording capability or automatic number plate recognition. The Town Council staff monitors the CCTV.
- Use of images, including the provision of images to a third party, will be in accordance with the requirements of the Town Council's Data Protection registration.
- CCTV may be used to monitor the movements and activities of staff and visitors whilst on the premises.

- External and internal signage are displayed on the premises advising that CCTV is in operation.
- This policy outlines the Centre's use of CCTV and how it complies with the Act.

### **3 Retention of Images**

Recorded data will be retained for 30 days and then deleted. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.

Images from cameras are recorded to a secure hard drive and recordings are accessible for up to thirty days. Recordings which are required for the stated purposes will not be retained for longer than is necessary.

### **4 Access to Images**

Access to, and disclosure of, images recorded by CCTV is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact should the images be required for evidential purposes.

Therefore

- Images will only be viewed if an incident is reported which falls into one or more of the categories listed at section 1 of this policy.
- Access to recorded images is restricted to nominated Town Council employees who are authorised to share images with police officers and relevant authorities.
- Images will not be supplied to the media except on the advice of the police if deemed to be in the public interest following consultation with the Chair and Vice-chair of the Council and the Town Council's insurers.
- CCTV images will not be supplied to any third party other than to authorized personnel such as the Police or other official investigators.

### **5 Data Subject Requests**

CCTV images, if they show a recognisable person, are personal data and are covered by the Data Protection Act 2018. Anyone who believes they have been filmed by CCTV is entitled to ask for a copy of the recorded data, subject to the exemptions contained in the Act. There is no right of instant access.

- All requests should be made in writing to the Town Clerk. Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified ie.



- the date, location, and time the image was believed to be recorded.
- A full description of the subject including clothing worn at the time of the recording.
- Proof of the identity of the subject requesting access.

A fee of £30 will be charged per request. Requests must be submitted in writing within 14 days of the incident occurring. Requests will be acknowledged within 7 working days and the Council will respond to requests within 40 calendar days of receiving the written request and fee.

The Town Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an ongoing investigation which is allowed for under the Data Protection Act

## **6 Complaints**

Complaints and enquiries about the operation of the Town Councils CCTV system should be directed to the Town Clerk in the first instance, phone 01926 814004 or email [clerk@southamcouncil-warks.gov.uk](mailto:clerk@southamcouncil-warks.gov.uk)

## **Review**

This policy will be reviewed at least annually by the Town Council/ Personnel Working Party or when new legislation requires this policy to be updated. The CCTV Notice appended to this policy forms a checklist for the Sub-Group's use and can also be displayed on the Centre's noticeboard to provide assurances on the proper use of CCTV to staff, Centre users, contractors, and other visitors.

## Southam Town Council CCTV NOTICE

The CCTV system installed at the Grange Hall and the Southam Flying Fields Community Hall, and the images produced by it are controlled by the Town Council who are responsible for how the system is used.

The Town Council has considered the need for using CCTV and has decided it is required for the prevention and detection of crime and for protecting the safety of its staff and users. It will not be used for other purposes. We conduct an annual review of our use of CCTV using this checklist.

Criteria	Checked
There is a named individual who is responsible for the operation of the system.	✓
The problem we are trying to address has been clearly defined and installing cameras is the best solution. This decision should be reviewed on a regular basis.	✓
A system has been chosen which produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required.	✓
Cameras have been sited so that they provide clear images.	✓
Cameras have been positioned to avoid capturing the images of persons not visiting the premises.	✓
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system, contact details are displayed on the sign(s).	✓
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.	✓
The recorded images will only be retained long enough for any incident to come to light (e.g., for a theft to be noticed) and the incident to be investigated.	✓
Except for law enforcement bodies, images will not be provided to third parties.	✓
The potential impact on individuals' privacy has been identified and taken into account in the use of the system.	✓
The organisation knows how to respond to individuals making requests for copies of their own images.	✓
Regular checks are carried out to ensure that the system is working properly and produces high quality images.	✓

Date of next Review: Annually

