

CAMELFORD TOWN COUNCIL

EMPLOYEE HANDBOOK

MAY 2021

SECTION 1 –GENERAL INFORMATION.....	3
1. Your Responsibilities	3
2. Probationary Period	3
3. General Employment Policy	3
4. National Agreement on Pay and Conditions of Service	4
5. Attendance and Timekeeping	4
6. Organisational Chart	5
7. Salary	6
8. Benefits	7
9. Sickness/Absence	10
10. Conditions of Employment.....	11
1. Absence Management Policy	25
2. Maternity Policy	33
3. Breastfeeding Policy.....	38
4. Paternity Policy	39
5. Adoption Policy	42
6. Capability Procedure	46
7. Development and Training Strategy (including Training Plan and Needs)	51
8. Disciplinary Procedure (Adopted July 2017)	64
9. Equal Opportunities Policy (Adopted 6 December 2018)	70
10. Grievance Procedure.....	73
11. Complaints	77
12. Harassment, Abuse, Bullying and Intimidation Policy	80
13. LGE Pensions Discretions Policy	84
14. Policy for Use of CTC Vehicle	86
15. Volunteering Policy	88
16. Lone Working Policy.....	93
17. Whistleblowing Policy	95
SECTION 3 – FORMS	105
1. Example Timesheet.....	105
2. Employee Information Form	106
3. Expenses/Mileage Form.....	107
4. Appraisal Form	107
5. Incident Reporting Form	109
6. Incident Log Form	110
7. Statement of Employee	111

WELCOME TO CAMELFORD TOWN COUNCIL

Your relationship with CTC is governed by the policies and procedures in this Handbook and by the terms and conditions in your contract of employment. Please take time to read both documents. If there is a conflict between the two, your contract of employment prevails.

CTC needs its employees to be enthusiastic and competent in their various roles and seeks to ensure all staff are able to play their part to the best of their ability, through development, training, competence and monitoring. As a result, employees can fully contribute to the delivery and management of services in Camelford.

All staff will undertake a short induction programme at the commencement of their employment which will cover key points contained within this document, along with other information relevant to the role and operation of CTC. The induction and this Handbook seek to ensure that new staff have the opportunity to understand their duties and responsibilities enabling them to settle into their jobs quickly and comfortably. As part of the induction programme, an Employee Information Sheet will need to be completed which details next of kin, any medical conditions and bank details for salary payments (see Section 3 of this Handbook).

For existing staff, this Handbook should also be kept handy as a point of reference and for further information purposes.

This Handbook is divided into three sections:

SECTION 1 – GENERAL INFORMATION

Section 1 sets out CTC's general employment information such as your responsibilities as an employee, salary, annual leave/maternity/paternity leave and sickness entitlement, .

SECTION 2 – POLICY AND PROCEDURES

Section 2 sets out CTC's policies and procedures for dealing with things like discipline, absence, capability and grievances. These policies and procedures are in place to help and protect you. To ensure that the CTC is a safe, efficient and happy place to work it is very important that you familiarise yourself with them. They do not form part of your contract and may be changed from time to time to reflect developments.

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

We are very pleased that you have chosen to work for CTC and it hopes that your time with us will be long, fulfilling and happy.

SECTION 3 – FORMS

Forms mentioned within this Handbook (e.g. timesheet, employee information form, appraisal, expenses form).

SECTION 1 –GENERAL INFORMATION

1. Your Responsibilities

Whilst working for CTC your overriding responsibilities are:-

- a) To observe all safety rules and to act in a manner that ensures your own health and safety and the health and safety of others; and
 - b) To act wholeheartedly in the best interests of CTC.
- 1.1. Any conduct that either puts your own health and safety at risk or the health and safety of others at risk will normally be treated as **gross misconduct**.
- 1.2. Any conduct that is detrimental to the best interests of CTC or its relations with councillors, suppliers or the general public will normally be treated as **gross misconduct**.
- 1.3. Your general duties include the following:-
- To work hard, conscientiously and safely on behalf of CTC.
 - To adhere to the reasonable and lawful instructions of CTC and to be flexible in helping CTC achieve its objectives.
 - To produce work of the best of your ability.
 - To respect and care for CTC's property.
 - To strictly adhere to all Rules and Regulations relating to health and safety and report to **your supervisor or manager** any hazards to safe working arrangements.
 - To comply with CTC's equal opportunities policy and to co-operate with it to ensure a working environment that is free from discrimination and prejudice and the fear of harassment, bullying or violence.
 - To notify CTC at the earliest opportunity about any change in your personal circumstances such as your name, address or telephone number

2. Probationary Period

- 2.1.1. Staff generally join CTC on an initial probationary period of 6 months. This does not prejudice CTC's right to dismiss, in accordance with the clause contained in the Contract of Employment, or matters arising from issues of discipline.
- 2.1.2. During the probationary period, work performance and general suitability is assessed and, if satisfactory, employment with CTC will continue.
- 2.1.3. If work performance is not up to the required standard, the position is reviewed to seek a solution, possibly extend the probationary period with a further review, or to terminate the employment.
- 2.1.4. At the end of the probationary period, if satisfactory, employees will become a permanent member of staff.

3. General Employment Policy

- 3.1. CTC seeks to act as a responsible employer, using as far as is possible for a local council, all reasonable personnel practices and compliance in all respects with employment law and other legislation applying at the time. Terms and conditions will be kept under review and National Agreements honoured.

- 3.2. CTC is geared to encourage and reward dedicated staff who take a professional attitude to work. This is reflected in the Development and Strategy Policy and Staff Development Charter (in Section 2 of this Handbook). CTC seeks to offer a stable and constructive working environment for staff who are prepared to work in partnership to meet CTC's aim of giving high quality service to the people of Camelford.
- 3.3. This Handbook is for use by all CTC staff and its Committees in making decisions with respect to personnel matters. All day to day staff management decisions on personnel matters are delegated to the Town Clerk. Day to day matters relating to the Town Clerk will be dealt with by the Mayor on CTC's behalf. Procedures in law also exist for the review of problem cases for all staff by CTC and its Committees. These procedures are detailed within Section 2 of this Handbook.

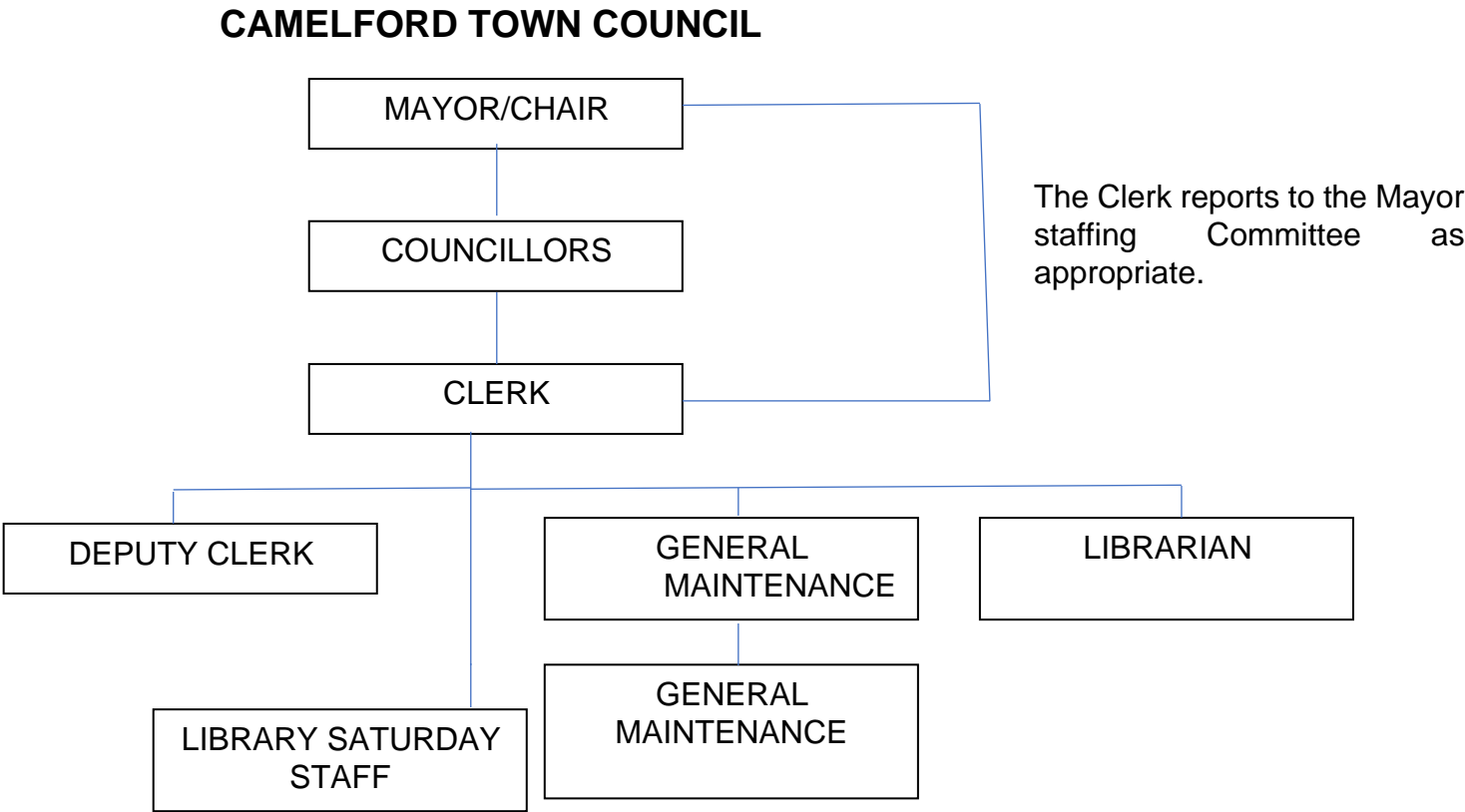
4. National Agreement on Pay and Conditions of Service

- 4.1. CTC accepts the provisions of the National Agreement on Terms and Conditions agreed annually between the National Association of Local Councils (NALC) and the Society of Local Clerks (SLCC). This is agreed after reference to the Joint Council for Local Government Services agreement.
- 4.2. A National Agreement on Pay and Conditions of Service (The Green Book) is negotiated between Principal Local Authority Employers and Unions and this forms the basis of Pay and Conditions for CTC. The Green Book sets the framework by which Local Authorities establish terms and conditions. Local councils may negotiate terms and conditions, but it is the strong advice of NALC and SLCC jointly that the national terms and conditions are adhered to and in so doing must honour all the relevant provisions of employment legislation and any other legislation applying at the time.

5. Attendance and Timekeeping

- 5.1. CTC expects excellent attendance and timekeeping.
- 5.2. Persistent lateness will normally be treated as **misconduct**.
- 5.3. It is your responsibility to make sure that you are at work and **ready to start work** at your scheduled starting time.
- 5.4. Any absence which does not comply with the provisions of your contract of employment relating to holidays or sickness or which has not been expressly authorised by CTC in advance shall be regarded as an unauthorised absence and may be treated as gross misconduct.
- 5.5. If you are sick or injured and cannot attend work then you **must** comply with CTC's Absence Management policy. The policy is set out in Section 2 of this Handbook.
- 5.6. If you need to start or leave work before your scheduled start or finish time you must obtain the prior authority of the Town Clerk.
- 5.7. You must comply with any absence/time recording procedures which may be introduced from time to time including any provisions required to ensure compliance with the Working Time Regulations 1998.

6. Organisational Chart



Councillors **do not** have any authority to make decisions regarding staff tasks or management. Any decisions are made at full council meetings or under delegated authority. For decisions on expenditure, see Financial Regulations. **Please use Incident Reporting Form if a Councillor makes unauthorised decisions or directs you as a member of staff.**

7. Salary

7.1. Structure

This is based on the externally evaluated and benchmarked agreement for Local Authorities, the National Joint Council (NJC) sets the pay scales and allowances and this is published to all councils annually. It is jointly agreed with the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC) who subsequently make recommendations on scale point ranges.

7.2. Salary Settlements

CTC undertakes to implement the agreements above. Any changes agreed are usually, although not exclusively, implemented from 1 April each year.

Salary is paid in equal instalments by BACS after the second meeting of the month (around 18th to 22nd), with pay being paid up to and including the end of that week.

Under the Employment Rights Act 1996 all staff will receive a pay slip showing how the total amount of salary/wages has been calculated. It must show all the deductions made and the reasons for them e.g. Income Tax, National Insurance contributions etc. Any queries on this matter should be raised with the Town Clerk.

7.3. Incremental Progression

Employees should progress automatically up the salary scale to the top of their designated grade provided their performance is satisfactory. They will normally be entitled to an increment, payable on 1 April of each year along with the salary settlement figure.

Once the top of the scale is reached, any additional increments are at the sole discretion of CTC. Accelerated increments within the grade of the post may be given on the grounds of exceptional merit or ability.

7.4. Overtime and Time off in Lieu

Overtime is not generally paid unless specified in the Contract of Employment. Occasional overtime may be required and needs to be agreed in advance with the Town Clerk.

Staff who are on fixed hours may take time off in lieu (TOIL) for occasional overtime requests as part of the flexible working approach required of all employees. TOIL may also be taken if there is a requirement to work on a weekend or statutory Bank Holiday.

7.5. Flexible Working

CTC recognises that its success depends on a partnership between CTC and staff and that in order to accommodate both the needs of the operation and the needs of individuals and depending on an individual's position certain types of flexible working scheme may be appropriate.

Under the provisions of the Employment Act 2002 and the Flexible Working Arrangements legislation, employees with 26 weeks qualifying service and are a parent, partner, adopter, guardian or foster parent have the right to request, in writing, flexible working arrangements to care for a child up to 6 years of age, or 18 years of age if disabled. The Work and Families Act 2006 also extends the flexible working to carers of adults.

CTC may refuse this right for objective business reasons and will give them to the employee in writing. An appeal can be made against that decision.

Employees who do not have the legal right to request flexible working may also ask CTC to consider such a request. However, CTC has no legal requirement to consider such a request, even though it can do so on an informal basis and dependent on the business needs of CTC.

7.6. Reimbursable Expenses

Where an employee is required to travel as a requirement of their job, CTC will reimburse actual expenses and reasonable subsistence incurred in accordance with 5.6.1 and 5.6.2 of the Pay Policy Statement which can be found in Section 2 of this Handbook. It should be noted that the practice of claiming subsistence will be paid at the discretion of CTC subject to validity, recommended allowances and a receipt being produced. Expenses and mileage details should be recorded on CTC's claim form (see Section 3 of this Handbook) and presented to the Town Clerk for authorisation.

7.7. Sole Employment/Declaration of Other Employment

In circumstances where staff have other employment, it is a condition of the Contract of Employment that CTC is informed of the essential details of such alternative employment in order to ensure that no tax or insurance liabilities will accrue to CTC. CTC does however, reserve the right to require that any other employment that is undertaken does not conflict with the role or standards required to be undertaken or met in the role as an employee of CTC.

8. Benefits

8.1. Pension Arrangements

At the start of employment, the Town Clerk will discuss pension arrangements and whether the member of staff would like to join the Local Government Pension Scheme (LGPS). If they do, staff are automatically to the "final salary" LGPS operated by CC, which provides an attractive range of guaranteed benefits. The benefits are inflation proofed. They include pension and tax-free lump sum, provision of premature retirement in special circumstances, life cover and dependents pension. To receive a refund of contributions, staff must opt out within 3 months of the date of first joining the LGPS.

Scheme members contribute a percentage of salary (depending on grade and joining date) and CTC also contributes at the rate determined by the scheme management (currently 18.7%)

Members can receive a lump sum (tax free under current legislation) and a standard pension income on retirement. Both of these are based on the employee's length of reckonable service in the pension scheme and their pensionable earnings. Scheme members may be able to top up their benefits, subject to Inland Revenue Regulations, by purchasing added years or making additional voluntary contributions.

Comprehensive information on all pension benefits can be obtained from Cornwall Council <https://www.cornwall.gov.uk/jobs-and-careers/cornwall-pension-fund/>.

CTC has a Local Government Employers Discretions Policy which was adopted on 6 April 2017 and can be found in Section 2 of this Handbook.

8.2. Death in Service

The LGPS should be notified of the name of the nominated emergency contact at the start of employment. This is completed on the Employee Personal Information Sheet as part of the induction documentation. In the event of death in service, any salary, pension or gratuities due to a member of staff will be paid to the person nominated.

8.3. Annual Leave

The holiday year runs from 1 April to 31 March.

As a small organisation, leave planning is very important for the smooth running of CTC. It is CTC policy that sufficient staff should be available to provide an appropriate level of service with appropriate management cover in place. Leave will be granted on a first come first served basis, so it follows that leave planned well in advance has the best chance of being granted.

All leave must be agreed in advance, recorded and authorised on the staff member's leave record (individual staff timesheet). Staff are permitted to carry no more than 5 days unused holiday into the following year.

The calculation of annual leave commences from the first day of employment and employees' holiday entitlement will be confirmed in the Contract of Employment. Leave will be increased in line with the standards laid out by the NJC.

If employment commences or terminates part way through a leave year, the holidays during that year will be assessed on a pro-rata basis. Deductions from final salary on termination of employment will be made in respect of any leave taken in excess of entitlement.

8.4. Sickness during Annual Leave

If an employee is certified sick when on annual leave, the time off will be considered as sick leave from the date of medical certificate and further annual leave shall be suspended from that date. If the claim of sickness is not supported by medical certificate then the absence is counted as annual leave.

8.5. Public and Extra Statutory Holidays

There are 8 days public holidays each calendar year plus St Piran's Day. If it falls on a working day, this can be taken as TOIL.

Part time employees who do not work every day of the week or who work an irregular number of hours each day receive the entitlement to public holidays and extra statutory days by way of an addition to their leave, in accordance with the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2002. More information on how leave is calculated is available from the Town Clerk.

Some staff may be required to work on any or all of the public holidays. In this case, either overtime may apply or TOIL can be taken at a mutually agreed date, the Contract of Employment will confirm an individual's specific terms and conditions.

8.6. Special Leave

At CTC's discretion, up to 2 weeks special leave with pay can be granted on each occasion on compassionate grounds, e.g. close family bereavement (a definition of "close family" is either a person by blood or adoption, or a spouse or stepchild) or close family illness etc.

8.7. Maternity/Paternity/Adoption and Parental Leave

CTC recognises and abides by the current legislation regarding maternity, paternity, adoption and parental leave (Work and Families Act 2006). In the event that an eligible employee is seeking to take any of the aforementioned leave they should, at the earliest opportunity, discuss their plans with the Town Clerk who can further advise on leave entitlements, pay rates and the legislation which is current at the time.

- **Maternity Leave**

All women can take up to 52 weeks maternity leave. Maternity leave is made up of 26 Ordinary Maternity Leave (OML) and 26 weeks Additional Maternity Leave (AML), starting at the end of OML with no gap between the two. No woman will be permitted to work during the first two weeks after the birth.

- **Paternity Leave**

Eligible employees can choose to take either one week or two consecutive weeks Ordinary Paternity Leave (OPL) at the time of birth. Additional Paternity Leave (APL) is for a maximum of 26 weeks. If the civic partner has returned to work, the leave can be taken between 20 weeks and one year after the child is born or placed for adoption. Eligible employees may be entitled to receive Additional Statutory Paternity Pay during your partner's Statutory Maternity Pay, Maternity Allowance or Adoption Pay period.

- **Adoption Leave**

Employees who are newly matched with a child for adoption and who have 26 weeks service when this happens, are entitled up to 26 weeks Ordinary Adoption Leave (OAL) and up to a further 26 weeks of Additional Adoption Leave (AAL). AAL must follow immediately on from OAL with no break between. Where a

couple adopt together, one member of the couple is entitled to adoption leave and pay, the other parent may be entitled to take paternity leave and pay.

- **Parental Leave**

Parental leave is a right to take time off work to look after a child or make arrangements for the child's welfare. Parents can use parental leave to spend more time with their children and strike a better balance between their work and family commitments. The right applies to parents and to a person who has obtained formal parental responsibility for a child. Employees (both mothers and fathers) who have completed one year's continuous service with CTC are entitled to 13 weeks unpaid parental leave for each child, which can be taken before the child reaches the age of 5. Leave must be taken in blocks or multiples of one week.

It is automatically unfair dismissal if an employee is dismissed for matters related to pregnancy or any associated leave.

9. Sickness/Absence

Attendance is a vital factor in providing effective and high-quality public services. High levels of attendance at work will contribute to and provide positive assistance in the planning and provision of quality services and high morale among employees.

CTC is committed to minimising sickness absence by maintaining good working practices and all stages of employment. A collaborative approach to management sickness levels will be adopted involving management, employees and their representatives.

Employees will be treated fairly and in a considerate manner in order for them to fully recover from sickness and return to work. CTC is committed to recording, monitoring and communicating sickness absence levels, with the aim of reducing absenteeism and maximising productivity. All sickness absence information will be handled sensitively and with due regard to confidentiality and GDPR principles.

On the first day of being unable to attend work, a telephone call must be made either by the employee, a relative or friend as soon as possible, to the Town Clerk, with subsequent regular updates. Sickness lasting for more than 7 consecutive days (including Saturday and Sunday) requires a Self-Certification Form to be completed. Absence longer than this requires a Doctor's medical certificate to be produced.

Entitlement to sick pay is set out below and can also be found in the appropriate handbooks of the NJC. Employees are entitled to receive sick pay for the following periods:-

During 1 st year or service	1 month's full pay and (after completing 6 months service) 2 months half pay
During 2 nd year of service	2 months full pay and 2 months half pay

During 3 rd year of service	4 months full pay and 4 months half pay
During 4 th and 5 th year of service	5 months full pay and 5 months half pay
After 5 years of service	6 months full pay and 6 months half pay

After these periods, employees default to Statutory Sick Pay (SSP).

In cases of frequent absence or long-term absence on grounds of health, further detailed procedures may be invoked (as shown in the following flow charts).

This may include referral to external Occupational Health specialists, requests to view Medical Reports, examinations by independent re-negotiation of terms and conditions of employment and possibly termination of employment.

On return to work after any period of absence, a "Return to Work" interview will be carried out, in private by the Town Clerk or if the absentee is the Town Clerk, the Mayor. This will be recorded on a "Return to Work Discussion Form" (which can be found in the Absence Management Policy in Section 2 of this Handbook). The approach however will be informal and supportive and should address any concerns of underlying health problems, visits to specialists, domestic difficulties or problems with the job.

Where absence has been related to disability or stress, a risk assessment will be carried out before the employee returns to work and any reasonable adjustments made as appropriate.

10. Conditions of Employment

10.1. The Contract of Employment will include the following:

- The names of the employer and employee
- The place of employment
- The date on which employment began
- The date on which the employee's period of continuous employment began which may differ from the date the employment began, taking into account any employment with a previous employer that counts towards that period
- The title of the job that the employee is employed to do and brief description of the work which the employee has been employed to do
- The scale and/or rate of remuneration (wages, salary etc) expressed as an hourly, weekly, monthly or annual figure
- The intervals at which wages or salary are to be paid (CTC pays monthly)
- Any terms and conditions relating to hours of work
- Any terms and conditions relating to the employees entitlement to holidays including public holidays, special holidays and holiday pay (the particulars given being sufficient to enable the employee's entitlement, including any entitlement to accrued holiday pay on the termination of employment to be precisely calculated)

- Any terms and conditions relating to incapacity for work due to sickness or injury, including any provision for sick pay
- Any terms and conditions relating to pensions and pension schemes
- The length of notice that an employee is to give and receive to terminate his/her contract of employment
- Where the employment is not intended to be permanent, the period for which it is expected to continue, or if it is for a fixed term, the date when it is to end
- Particulars of any specific other agreement that directly affects the terms and conditions of employment

The contract must be signed by both employee and the Town Clerk. A signed copy will be given to the employee and the original retained in the staff file.

10.2. **Working Hours**

The standard working week is 37 hours excluding meal breaks. Individual employee's specific hours will be dependent on contractual arrangements and will be detailed in their Terms and Conditions of Employment. Employees on part-time contracts working less than 37 hours will have such benefits as pay and leave calculated pro-rata to the standard working week.

Some employees are required to complete and sign a weekly timesheet of hours worked (see Section 3 of this Handbook)

10.3. **Annualised Hours**

Annualised hours contracts are appropriate where the requirements of the job are seasonal in nature. Working hours are agreed for the whole year rather than for a week. In High Season more than the standard weekly hours are worked while this is offset by less than standard hours in Off Season.

10.4. **Fixed Hours**

Due to the nature of some roles, some employees will have contracts which specify fixed hours. While these hours will be those normally worked, there may on some occasions be a requirement for some flexibility due to a requirement for additional working. Except where covered by overtime provisions outlined above, any additional hours worked will be compensated by TOIL.

10.5. **Time Off**

Time off may be required for medical or dental appointments. Where possible, appointments to visit hospital, doctor or dentist should be made outside of normal working hours. However, if this is not practical, an employee will be given reasonable paid time off to attend such appointments. The employee should give the Town Clerk adequate prior notice of the appointment and provide evidence of each appointment, if requested.

10.6. Time Off for Dependants

Under the Employment Rights Act 1996 s57A, all employees are entitled to be granted reasonable time off during working hours in order to take necessary or emergency action in circumstances such as the following:

- Sudden illness of a dependant, injury or assault
- Birth of a dependant's baby
- To make arrangements for the provision of care for a dependant
- Because of an unexpected disruption or termination of arrangements for the care of a dependant
- To deal with an incident that involves an employee's child which occurs unexpectedly during school/college hours

A "dependant" could be your husband, wife, partner, child, parent, or anyone living in the employee's household as a member of the family. A dependant may also be anyone who reasonably relies on the employee for help in an emergency, for example an elderly neighbour living alone.

Time can be taken regardless of length of service. If time off is required, the Town Clerk should be made aware as soon as possible however it does not need to be in writing nor does supporting evidence have to be provided.

There's no limit to the number of times time off for dependants can be taken, provided its for real emergencies. However, if CTC feels more time off is being taken than they can reasonably cope with, a meeting will be held with the employee to discuss.

10.7. Notice of Termination of Employment

The minimum periods of notice to which a member of staff must give to terminate their employment will be detailed in the individual's Contract of Employment.

10.8. Redundancy Arrangements

If circumstances arise where redundancy may be a possibility, the first steps will be to consult with all employees with a view to seeking an agreed solution such as reducing overtime to a workable minimum or restricting recruitment.

If redundancies are unavoidable, consideration will first be given to the retirement of employees over the normal retirement age and any applications for voluntary redundancy, where acceptable.

If selecting employees for redundancy is necessary, the criteria for selection will be discussed in detail at the time. A fair procedure will be applied in line with current legislation and at all times the overriding consideration will be the future operation of CTC.

10.9. Termination of Employment by Employee Without Giving Notice

If a member of staff terminates their employment without either giving or working the required period of notice as indicated in the Contract of Employment, the

employee will not be paid for the part of the notice period they did not work or only paid for the work they did.

This is an express written term of the Employment Contract in accordance with the Employment Rights Act 1996 s3.

10.10. **Changes in Personal Details**

Any changes in personal details, e.g. change of address, next of kin, bank details etc. should be notified to CTC as soon as possible so CTC can maintain accurate information on its records and also make contact in an emergency. Such changes should be advised to the Town Clerk.

10.11. **Performance**

A satisfactory performance is a basic contractual requirement. It is important both for the staff member and CTC to know that they are fulfilling their potential and achieving job satisfaction. By continually developing and learning new skills, performance will be enhanced and it will help to maintain the overall quality and cost effectiveness of the services offered and ultimately contribute to the success of CTC.

Employees have a duty to monitor their own performance and to take advantage of appropriate training opportunities as they arise. They should also seek opportunities to improve the way things are done either on their own initiative, if appropriate or in conjunction with colleagues and management. CTC has a Staff Development Charter and Development & Training Strategy which includes a training plan and record, which can be found in Section 2 of this Handbook.

CTC aims to achieve this by:

- Having an open two-way communication process between employees and their line manager to discuss and agree job performance and development needs.
- Reviewing and evaluating performance against agreed objectives.
- Setting objectives for the year ahead in line with job descriptions and CTC's strategic objectives.

An appraisal will be carried out for each member of staff at least every 6 months. This appraisal meeting is an opportunity to discuss every aspect of the role in confidence. It's a two-way communication process and the staff member's opinion will be sought and valued on performance, strengths and development needs. An appraisal form (see Section 3 of this Handbook) should be completed by the employee ahead of the appraisal meeting).

In order to give an accurate and complete picture, the conversation will include discussing not only successes but also any areas that require improvement. These areas should not be avoided but be openly talked about with the relevant line manager. One of the purposes of the appraisal is to discuss how any concerns can be overcome and should include suggestions on how performance might be improved.

At the end of the meeting, a set of objectives will be agreed for the next period with accompanying timescales for completion. This will provide the framework for future progress and a benchmark against which the employee's performance can be reviewed. Objectives are set to enable staff to better meet the performance requirements as defined in the job descriptions. They are performance goals which are to be achieved within a defined timeframe.

An objective should not be confused with a performance standard. A job description defines the functional and professional responsibilities and performance standards are the criteria against which the ability to fulfil these requirements is measured. An objective on the other hand could be a specific task or series of tasks that contribute towards the delivery of CTC's objectives/strategic plan, also with the aim for the member of staff to become increasingly effective.

There are a number of important reasons for setting objectives, namely:

- To achieve results
- To help reach the best performance levels
- To develop skills, abilities and responsibilities
- To provide a challenge and subsequently a sense of achievement

Objectives will:

- Be related to the aims and objectives of CTC's objectives/strategic plan
- Be aimed at improving job satisfaction and performance
- Maximise potential by increasing employees skill base and knowledge
- Be **SMART**:
 - **SPECIFIC** i.e. focussed on a particular task or behaviour and directed at achieving a required result
 - **MEASUREABLE** i.e. in terms of quality or quantity
 - **AGREED** i.e. only be set with both member and line manager's agreement
 - **REALISTIC** i.e. they should be challenging however achievable given level of experience and personal situation
 - **TIMELY** i.e. within a reasonable agreed timescale

It is recommended that the employee takes time to prepare in advance of the Appraisal. During and after the appraisal the discussions and objectives will be formally documented and agreed, then both parties will sign the paperwork and a copy will be kept on the employee's staff file.

CTC is committed to ensuring that staff have the right job description and are receiving all the necessary support and guidance required to develop their skills further, enhance their performance and address any issues arising. In

this respect the appraisal should be seen as a positive process, which is beneficial to both the employee and CTC.

CTC's Capability Procedure (see Section 2 of the Handbook) is used primarily for supporting, enhancing and improving the performance of employees. It sets out a framework for resolving issues relating to poor performance.

10.12. **Training**

CTC has adopted a Staff Development Charter and Staff Development Training Strategy which includes a Staff Development Training Plan and Needs (which can be found in Section 2 of this Handbook) which commits CTC to the ongoing training and development of all Councillors and employees. It is to enable them to make the most effective contribution to CTC's aims and objectives in providing the highest quality representation and services for the people of the town.

10.13. **Employee Code of Conduct**

The public is entitled to expect the highest standard of conduct from all local government employees so they have complete confidence in CTC.

CTC adopts the following guidelines regarding conduct which aim to make sure that employees understand the standards of behaviour and conduct expected.

The list is not exhaustive and certain types of conduct may depend on particular circumstances, it is important that all staff read the guidelines and ask about anything that is not clear, as ignorance will not be accepted as a defence if CTC decided to take disciplinary action against an employee for not complying with these standards. Any questions regarding this should be addressed to the Town Clerk.

a) **The Role as a Public Servant**

CTC provides services that the public pay for; they are CTC's main customers and the employee's role is to serve the public in the best way possible.

b) **Principles of Conduct**

Below sets out principles of conduct on how CTC expects staff to behave when doing their job. Some subjects are discussed in more detail in the following paragraphs.

- Leading by example – promote this principle by behaving in a way that gives people complete confidence in CTC.
- Uphold the law – everyone has a responsibility to uphold the law and to act in line with the trust that CTC, and the public it serves, expect.
- Constituency – everyone who has a responsibility to help CTC to act in the interests of the whole community that it serves as far as possible.

- Public interest – staff must never use the position to make gains personally or for family, friends and others. This includes financial benefits, preferential treatment or any other advantage.
- Honesty, integrity and propriety – as well as avoiding actual impropriety, staff must be seen to avoid it so that their honesty and integrity is beyond question.
- Gifts and hospitality – gifts or hospitality should not be accepted even with the best of intentions, as to do so might influence, or be **perceived** to influence judgement.
- Objective decisions – decisions made in the job must be made solely on merit, including appointing someone, awarding contracts or recommending people for rewards or benefits.
- Accountability – staff are accountable for their actions and their part played in decision making.
- Openness – staff must be as open as possible about their actions and decision making, and seen to be open so that people are confident that there is nothing underhand.
- Confidentiality – everything must be handled confidentially, and in accordance with GDPR, not used for private purposes.
- CTC resources – resources must be used prudently and in accordance with the law.
- Declarations – there is a legal duty to declare any private interests relating to employment and to resolve any conflicts that may arise.
- Relations with colleagues and councillors – respect councillors and other employees, treating them with mutual respect at all times.
- Uphold CTC's objectives – understand and act in accordance with CTC's vision and values, policy and procedures.

In return CTC has a responsibility to ensure that all employees are clear on what is expected of them, also that there is a safe and healthy working environment that is free from discrimination, harassment or bullying. Staff will be offered relevant training and development opportunities and also employees have the opportunity to choose to be represented by a Trade Union in appropriate circumstances as determined by CTC policy.

c) **Customer Care and Courtesy**

Employees are expected to be welcoming, helpful, informative and courteous as well as being professional to the public and to councillors and other companies/organisations that CTC have contact with. Staff must be presentable and suitably dressed for their particular job. In particular, office staff must be smart (no denim etc). For library staff, it is important that you read through the LIS Manual (Library standards) on the library intranet.

It is imperative that every staff/customer interaction is a positive one for the customer. Positive operating procedures for staff are below:

- Phones to be answered, workstations staffed and doors opened punctually at library opening times.
- All customers will be treated courteously and respectfully.

- Greet each customer. Acknowledge a customer's entrance or presence by looking up and making eye contact, and greet verbally.
- Being helpful to customers takes precedence over desk work.
- Conduct transactions in a helpful, pleasant tone of voice. It is always better to assume that the customer is unfamiliar with our library and its policies and procedures.
- Staff members will respond to enquiries with the best factual information available but will refrain from offering personal opinions or advice.
- It is never appropriate for a customer to treat a staff member rudely, to verbally or physically threaten staff or to yell or use abusive language with staff. If such a situation arises, it is appropriate to inform the Town Clerk and refuse to serve that customer. The Locality Team Member at Cornwall Council should be informed of the incident immediately.

d) Conduct towards Colleagues

Staff must always act in a polite and friendly manner to colleagues, making sure that any behaviour does not cause offence. CTC will not tolerate any form of bullying, oppression, sexual harassment, violence or aggression and will use its Disciplinary Policy to support this (see Section 2 of the Handbook)

e) Time-keeping and Attendance

Employees should be ready and able to carry out their duties at agreed times within reason and time at work must be accurately recorded – falsifying records is a disciplinary offence. Further information can be found in CTC's Absence Management Policy (see Section 2 of the Handbook).

f) Complying with Written Guidelines, Laws and Regulations

All employees should ensure they comply with the laws and regulations relevant to their job. Staff are responsible for understanding the conditions of employment under which they are employed and should ask the Town Clerk for clarification if unclear about anything. This also includes compliance with corporate guidance, such as CTC's Standing orders and Financial Regulations.

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

g) Conduct and Disciplinary Action

CTC will use its disciplinary process to deal with any conduct that falls below that expected. Full details of misconduct and gross misconduct are found in the Disciplinary Procedure and Grievance Procedure in Section 2 of the Handbook.

h) Outside Interests

Life away from work is the employee's own concern, however, staff must not put themselves in a position where the job and personal interests

conflict. This includes behaviour which, because of the nature of employment, would undermine CTC's confidence or trust.

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

i) **Additional Employment**

CTC will not stop anyone from taking additional employment. The employee must ensure it will not affect duties and responsibilities or conflict with the interests of or weaken public confidence in CTC.

Assets and information belonging to CTC cannot be used for personal work without gaining prior permission from CTC. Additional income received must be declared to HMRC and an assurance that no tax or insurance liabilities will accrue to CTC.

j) **Declaring Interests**

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

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

k) **Confidentiality and Disclosure of Information**

It is generally accepted that open government is best. Legislation requires that certain types of information must be available to members, auditors, government departments, service users and the public. However, the regulations under GDPR 2019 and the Freedom of Information Act 2000 must be borne in mind when dealing with information.

As part of the job, staff will come across confidential information. This must remain private and confidential at all times, unless CTC is required to do so by law. Staff should exercise reasonable care to keep safe documents and material containing confidential information. Confidential documents that are no longer required should be disposed of in the confidential waste, located in the locked storage room in the Town Hall.

Information about another employee's private affairs must not be given to anyone outside CTC without the consent of the employee, or to anyone

within CTC unless that person has authority and responsibility for such information.

CTC contracts or purchasing arrangements cannot be used for personal benefit or to benefit any external function or organisation, unless prior approval has been granted. Similarly business information and documents should not be divulged to any third party or use it other than for the purpose of furthering the interests of CTC.

l) ICT (Information Communications Technology)

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

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

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

Whilst the ICT equipment is supplied for Council use, CTC will allow personal use outside of normal working hours. However, CTC reserves the right to withdraw this concession at any time. Personal mobiles should not be used during working hours except for in an emergency situation.

Remote access is regarded as an enabling business continuity and/or enhancement of working arrangements, especially during pandemics such as COVID-19. It is not a means of accruing additional hours. The same terms and conditions apply to ICT used remotely as applied within the office.

Surplus ICT equipment will be disposed of both securely and in an environmentally friendly manner.

m) **Caring for and Using Council's Resources**

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

n) **Smoking, Alcohol and Drugs**

Employees are not permitted to smoke on CTC premises or in vehicles.

Alcohol is not permitted on CTC premises, unless specifically approved by the Town Clerk or Mayor (e.g. for specific events). CTC also prohibits the use, possession, distribution or sale of illicit or illegal drugs at work or when doing CTC business and will report any such activity to the Police.

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

Employees taking legally prescribed or over-the-counter drugs must ensure that their use does not adversely affect work performance and the safety of other members of staff.

o) **Whistleblowing – Reporting Criminal Offences and Poor Conduct**

Whistleblowing is relevant to all organisations and all people. This is because every business and every public body faces the risk of things going wrong internally. Where such risk arises, usually the first people to realise or suspect the wrongdoing will be those who work in or with the organisation.

CTC is committed to the highest possible standards of openness, probity and accountability in the delivery of its services to the people who live and work within Camelford. The Whistleblowing Policy can be found in Section 2.

p) **Dealing with the Media**

Employees may only talk to the media as a representative of CTC if specifically authorised to do so. The Town Clerk normally deals with media enquiries as well as preparing and issuing public statements or press releases. All media enquiries should in the first instance be directed to the Town Clerk. If any staff are asked for comments these should be checked by the Town Clerk first. They should be considered, sensible, well informed, in good faith, in the public interest, without malice and that they enhance CTC's reputation and status.

q) **Equality Issues**

All CTC employees should ensure that their behaviour is in accordance with the spirit and detail of CTC's Equal Opportunity Policy (see Section 2 of this Handbook). CTC will not tolerate racist, sexist, homophobic and

other discriminatory remarks and behaviour. Deliberate discrimination will result in disciplinary action.

r) **Health, Safety and Wellbeing**

All employees have a personal and legal responsibility under the Health and Safety at Work Act 1974 for themselves, colleagues and visitors to CTC's buildings and premises. Please refer to CTC's Health and Safety Policy for further information (see Section 2 of this Handbook)

s) **Ways of Working**

Line Manager Roles and Responsibilities:

Managers have a responsibility to set a good example for employees through their own behaviour and attitudes, especially in relation to upholding the ethical principles, obligations and standards as set in the Code of Conduct (see Section 2 of this Handbook).

Managers should ensure that employees understand performance standards expected from them and objectively assess their performance against these standards. They should also ensure that all employees in their reporting line are familiar with the requirements and objectives of their job, and have access to the information, training, supervision, feedback and work conditions needed to achieve them.

Managers must be honest and objective in reporting the skills and qualities of employees in testimonials; reference and performance reports, ensuring decisions can be substantiated against objective standards and indicators.

The Town Clerk is required to act promptly, thoroughly and fairly when responding to, or investigating grievances and reports of breaches of the Code of Conduct.

Following Instructions:

All members of staff are expected to follow all reasonable and lawful instructions related to work given by a person with the authority to issue such instructions, even when you may not personally agree with all the decisions.

Managers must be able to justify their instructions and decisions in line with their delegations, authority, CTC policies and procedures, and be open and respond promptly to constructive questions.

Employees can refuse to comply with an instruction that appears to be lawful or unethical and report the matter to the Town Clerk or the Mayor. **Employees should use the Incident Reporting Form to report any incidents relating to instructions given by Councillors, or any incidents with a member of staff (See Section 3 of this Handbook). The Town Clerk will also record this information in a central log which is confidential and will be kept in a locked cupboard.** This may apply in cases where there is danger to a person's health and safety or a conflict of interest may exist or it does

not comply with CTC policy and practice. This matter will then be duly discussed in more depth with the relevant individuals.

SECTION 2 – POLICY AND PROCEDURES

In this Section, you will find the following Policy and Procedures:

- Absence Management Policy
- Maternity Policy
- Breastfeeding Policy
- Paternity Policy
- Adoption Policy
- Capability Procedure
- Development and Training Strategy (including Training Plan/Needs and Staff/Councillor Development Charter)
- Pay Policy Statement 2020-21
- Disciplinary Procedure
- Equal Opportunities Policy
- Grievance Procedure
- Harassment, Abuse, Bullying and Intimidation Policy
- LGE Pensions Discretions Policy
- Use of CTC Vehicle Policy
- Volunteering Policy
- Lone Working Policy
- Whistleblowing Policy 2020
- General Information
 - Freedom of Information and Data Protection
 - Council Property
 - Health, Safety and Welfare
 - Business Continuity Planning
 - Further information and useful contact details

1. Absence Management Policy

CTC is committed to providing effective, high quality service to all its residents and partner organisations, and to optimising the contribution of all employees. As part of this aim it is essential that throughout the organisation all employees are committed to maximising attendance.

CTC is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return CTC expects all employees to take reasonable care of their own health, seek medical help whenever appropriate and to attend work when fit to do so.

CTC recognises that genuine medical grounds will occasionally result in employee absence. It is CTC's policy to treat all such sickness absence in a fair, sensitive and consistent manner across all areas of the workforce.

CTC must however balance the sensitive management of genuine individual sickness against its needs to be publicly accountable for its resource allocation and as such it cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short-term sickness or extended periods of absence as appropriate.

Aims

In order for CTC to meet its responsibilities it will ensure that:-

- It provides a supportive environment for those employees affected by ill-health;
- All employees adhere to the comprehensive procedural guidelines produced in support of this policy.
- Levels of sickness and/or absence are the subject of routine monitoring.

Responsibilities

The onus for attending work on a regular basis, and for reporting absence in accordance with CTC's agreed procedures, rests with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The responsibility for recording, monitoring and managing absence on a day to day basis lies with the Town Clerk. It is therefore essential that they ensure that all employees are aware of CTC's Absence Management Policy and Procedures.

Review

This policy and the supporting procedural guidelines will be reviewed periodically. Responsibility for conducting this review lies with the Town Clerk.

Guidelines for Employees

Reporting

If you are unable to work due to illness/injury you must contact the Town Clerk as soon as possible, or arrange for someone else to do this on your behalf. This should

be no later than 9.30am on the first day of absence or nearest working day. You should provide some indication of:-

- The nature of your absence
- The date your injury/illness began (including weekends and holidays)
- The expected duration of your absence
- Whether you have any immediate work commitments that will need completing/reassigning during your absence.

If the Town Clerk is unavailable you should ensure that contact is made with another member of staff within the office or the Mayor.

Not later than the fourth day of absence you must contact the Town Clerk again in order to provide updated information in respect of your on-going illness/injury.

Certification

Where your absence is not covered by a doctor's certificate and is for a period of up to seven days inclusive of weekends you will be asked to complete a self-certification form on your return to work.

If your absence exceeds seven days and you have not already done so you should provide a doctor's certificate for the remainder of your absence. You will need to ensure that there is always a current certificate in force. Your doctor's certificate 'fit note' will include whether you need to see your Doctor again before returning to work.

If the doctor's certificate states that you "may be fit for work" you should inform the Town Clerk immediately. The Town Clerk will discuss with you whether there are any additional measures that may be needed to facilitate your return to work, taking into account the doctor's advice. This may take place at a return to work interview or an absence review meeting. If appropriate measures cannot be taken, you will remain on sick leave and the Town Clerk will set a date to review the situation.

Return to work meetings

Effective absence management depends upon the availability of relevant information. The Town Clerk will therefore arrange to hold a return to work meeting with employees following each period of absence. Return to work meetings present an informal opportunity to establish the cause of the absence and allows the Town Clerk to establish whether the employee requires any further help or support with their welfare. The Town Clerk will also provide the opportunity to alert an employee to concerns that there may be in respect of situations where an unsatisfactory absence record is developing. In some cases, the discussion will only need to be brief. In other, more complex cases, perhaps where there is a history of a high level of sickness absence, the meeting will need to be more involved. An employee can refuse, if they wish, to provide any information at the return to work discussion. Where this is the case, the Town Clerk will attempt to identify with the employee the reasons for this refusal. If the employee does refuse to co-operate in the return to work discussion, the Town Clerk will record attempts to conduct this discussion and the employee's refusal.

When you return to work after any period of absence, the Town Clerk will arrange to meet on the first day back, or as soon as possible thereafter. The purpose of this meeting is:

- to provide an opportunity for the Town Clerk to check that you are fit enough to return to work;
- to give you an opportunity to voice any concerns that you may have and/or to identify any domestic, welfare or work-related problems in an appropriate forum;
- to ensure that you are aware of work-related matters that have occurred during your absence;
- fill out the sickness declaration form.

You will need to complete a Return to Work Form if the Town Clerk deems it appropriate due to the length of absence.

Miscellaneous

It is important that you comply with these procedures in order that:

- CTC can be aware of potential problems and provide assistance to you where necessary;
- any sick pay to which you would otherwise be entitled is not withheld or refused.

Records retained in respect of sickness and/or absence will be treated with sensitivity and confidentiality and at all times in accordance with the provisions of prevailing Data Protection legislation. You will be entitled to access your records on request.

Guidelines for the Town Clerk

General Issues

The Town Clerk is responsible for the management of sickness absence within CTC. and should therefore ensure that all employees are aware of, and comply with, CTC's procedure for reporting absence from the workplace.

Where employees have failed to follow established procedures in respect of notification of absence or the provision of medical certificates etc. they should be reminded of their obligations and, if appropriate, notified that further non-compliance may result in the initiation of disciplinary action. Where there is concern that an employee has wilfully abused the sickness absence provisions or absented themselves from work without satisfactory reason or explanation the matter should be referred into the disciplinary procedure for investigation and appropriate action.

If an employee is ill while they are on holiday, this time should be regarded as sick leave provided that they can provide a doctors certificate. Post-dated certificates i.e. covering a period prior to the doctor's appointment will not be accepted.

Where a public holiday falls during a period of sickness absence the employee concerned will continue to receive sick pay however no substitute public holiday will be given.

Should an employee who has been refused annual/flexi leave subsequently report sick for the period requested, the circumstances should be investigated. The employee will need to submit a doctor's certificate for the period in question. Where this is the case any cost incurred will be reimbursed providing the employee is able to submit a receipt.

It is not expected that you will normally contact employees at home during periods of self-certificated absence although there may be occasions when this is necessary as a result of issues arising at work. The timing of contact with an employee at home during periods of certificated absence must be a matter of judgment with consideration being given to the nature of the absence, the importance of the job, the problems of providing cover, the employee's previous absence record, and the effects of the absence on service provision and other employees.

Long-term Absence

All cases of long-term absence will be treated sympathetically and every assistance will be given to the employee to return to work. You should maintain contact with the employee and advise them that they should keep CTC informed of developments relating to their medical condition.

In order to ensure that CTC has access to guidance and advice in respect of the best course of action to follow in relation to such cases of absence, employees who have been absent for a continuous period of 4 weeks may, depending on the nature of the absence in question, be referred to Cornwall Council's Occupational Health Physician. Where the Occupational Health Physician makes a recommendation which may affect the employee's continued employment, you should arrange to meet with them to discuss the alternative options. Employees may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

Where a return to work following a period of prolonged absence may be facilitated by temporary redeployment or phased re-introduction, i.e., job sharing or part-time working, an employee can be advised that you will discuss these options with them, and if appropriate ensure that support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

In certain cases, the Occupational Health Physician may find that an employee is unfit to perform a particular job but fit enough to undertake other types of work. In such cases, full consideration will be given to the possibility of redeployment into alternative positions. Consideration will also be given to redeployment in cases where work in a particular place poses problems with attendance.

Frequent Intermittent Absence

Although there will be informal return to work interviews after all periods of absence, after four episodes of absence or a total of 10 days short term sickness absence within any period of 12 months, the Town Clerk will instigate a more formal review of attendance records and reasons for absence with an employee. Meetings will be

arranged with any employee whose absence record matches or exceeds the above criteria.

During the interview, the Town Clerk will draw the employee's attention to their poor attendance record, and the problems that their absences are causing for CTC and other employees. Where no underlying medical condition is disclosed, the employee must be advised that their attendance record will be monitored (over a period not less than 3 months) and that significant improvement will be required. In addition, employees must be warned that if no such improvement is forthcoming, serious consideration will be given to reviewing their employment situation. This must be confirmed in writing.

Return to work interviews must continue to be carried out following any absences which occur during this monitoring period. These interviews afford the Town Clerk the opportunity to remind the employee of CTC's concerns.

If, after the period of monitoring has elapsed, no significant improvement in attendance has been effected, a further interview must be arranged. At this interview, the employee must once again be reminded of the problems caused by the absences and asked if they wish to disclose any underlying medical condition or problem of which the Town Clerk is unaware. If such a condition is disclosed, a medical referral should be arranged. Where no underlying medical condition exists, the employee should be told that their attendance record will be subject to a further period of monitoring (of not less than 3 months) and that their employment may be terminated if the required improvement is not effected. Employees have the right to be accompanied to this meeting by a trade union representative or a work colleague.

Employees whose levels of attendance improve satisfactorily during periods of informal and/or formal monitoring must be reminded that they will be expected to maintain these levels of attendance. Failure to do so will result in further monitoring and/or the initiation of formal action.

Personal, Domestic or Work Related Problems

Where an employee reveals that their absence has been a consequence of personal, domestic or work-related problems, the Town Clerk will endeavour to discuss with them any relevant details which they wish to disclose. Although an employee may have genuine concerns about revealing sensitive or personal information, they should be reminded of the fact that such matters will be treated confidentially, and that CTC cannot assist them if it is not made aware of the problem. Should an employee wish to discuss matters with someone other than the Town Clerk, the Chair of the Staffing Committee can be contacted for a confidential interview.

Once the problem has been clearly identified, appropriate assistance can be afforded to the employee. It is not possible, in a guidance document such as this, to cover all circumstances, but special leave, temporary adjustments in working arrangements or referral to specialist agencies are available options.

Alcohol/Drug Dependency

Where an employee discloses that their absences are a consequence of alcohol or drug related problems they will be encouraged to seek help and treatment voluntarily through Cornwall Council's Occupational Health Service or through resources of their own choosing. Employees will be granted, if necessary, leave to undergo

treatment and any such leave will be regarded as sick leave within the terms of CTC's sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should an employee refuse or discontinue any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through CTC's Disciplinary Procedure.

Welfare

If, as a consequence of medically related absence, the Town Clerk has any concerns about an employee's ability to undertake the full range of duties and responsibilities associated with their post, consideration should be given to suspending them with pay, or finding alternative duties whilst medical advice is sought from Cornwall Council's Occupational Health Unit.

Termination of Employment

Prior to termination being considered, the Town Clerk will meet with the individual to explore whether there are any reasonable adjustments that could be made to enable an employee to remain employed.

Termination of employment may take place where:-

- an employee is declared permanently unfit for work, or
- an employee is declared medically unfit for their work, and alternative employment cannot be found, or
- a decision has been taken that the service can no longer tolerate a high level of absence, or
- a decision is taken, within CTC's Disciplinary Procedures, that an employee has wilfully abused the sickness and absence payments provisions and/or has absented themselves without permission.

To reach a decision whether dismissal is appropriate an attendance hearing will be arranged. The employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.

The Hearing Panel will comprise of three members of the Staffing Committee, who will make the decision. The Town Clerk or relevant manager will attend to outline the history of absence and any relevant steps taken and advice received.

All paperwork relating to the hearing will be circulated 5 days in advance of the hearing, to all parties attending.

At the hearing once they have considered both the managers and employees case and considered all relevant information the Panel will adjourn to make a decision.

The decision of the Panel must be confirmed to the employee in writing within 5 working days. The letter should clearly set out:-

- The Panel's decision:

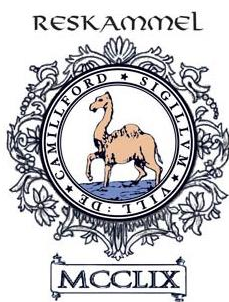
- if a warning has been issued the timescale for this and the level of improvement required;
 - or
 - if the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this;
 - or
 - if the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information.
- The employee's right of appeal.

Monitoring

Monitoring is an important part of sickness absence. In order for reports to be issued to managers, it is important that all absence from the workplace is reported. All signed absence forms should therefore be returned as soon as possible after the employee's return to work interview has been conducted. The Town Clerk will ensure that an absence history is maintained for each employee. These records will provide the base data for the compilation, at regular intervals, of statistics showing the level of sickness absence across CTC

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

You should ensure that at all times you maintain comprehensive records for each employee in relation to contact during and immediately following periods of sickness absence. These details should be maintained on the employee's personal file and should be treated with sensitivity and confidentiality at all times. Employees will be entitled to access these records on request.



CAMELFORD TOWN COUNCIL

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www.camelford-tc.gov.uk

RETURN TO WORK DISCUSSION

Name:			
Date/Time of Interview:			
Period of Sickness Absence:	From:	To:	
Number of Working Days Absent:			

*Self-Certificate / Doctors Certificate provided (*delete as appropriate)

Provide brief details of the content of the discussion:

Details of the content of the discussion: Reason for absence: Have you consulted a Doctor/Specialist? Do you consider your absence to be as result of a work-related accident or condition? If the absence was work related, an appropriate Incident Report MUST be completed. Has this been done? If the absence was a result of an Accident or Incident, was a Third Party involved? Was the absence related to a disability? Was the absence related to maternity (pregnancy)? Is a Phased Return to Work required?

Employee's Declaration – I declare that the details given above are true, and I understand that by knowingly making a false declaration I may render myself liable for disciplinary action.

Signed **Date**.....
(Employee)

Signed **Date**.....
(Town Clerk)

2. Maternity Policy

1. Definitions

The following definitions are used in this policy:

- a. "Expected week of childbirth" (EWC) means the week, starting on a Sunday, during which the employee's doctor or midwife expects her to give birth; and
- b. "Qualifying week" means the fifteenth week before the expected week of childbirth.

2. To Whom This Policy Applies

The occupational maternity scheme shall apply to all pregnant employees regardless of the number of hours worked per week.

3. Notification Requirements

An employee shall notify the Clerk in writing at least 28 days before her absence begins or as soon as is reasonably practical:

- a. That she is pregnant;
- b. Of the EWC, providing a copy of form MATB1 as supplied by a registered medical practitioner; and
- c. The date on which she intends to start her maternity leave. An employee can change her notified start date as long as she gives 28 days' notice or as soon as is reasonably practical.

4. Health and Safety

On receipt of written notification from an employee that she is pregnant, the Town Clerk should carry out a risk assessment. The employee and Town Clerk should be fully informed of any risks identified. If the Town Clerk is the employee, the Chair of the Staffing Committee will have the responsibility. The Town Clerk and employee have an ongoing responsibility to monitor any potential risks that may be present.

5. Ante-Natal Care

Any pregnant employee has the right to a reasonable amount of paid time off to attend antenatal appointments made on the advice of a registered medical practitioner, which may include relaxation classes and parent-craft classes. Employees must produce evidence of appointments if requested to do so.

6. Maternity Leave

a. Ordinary and Additional Maternity Leave

All women, regardless of their length of service, are entitled to 26 weeks' ordinary maternity leave (OML) and 26 weeks' additional maternity leave (AML) providing a right to one year's maternity leave in total.

Maternity leave shall commence no earlier than 11 weeks before the EWC or from the time of childbirth if that is earlier. From the beginning of the fourth week before the EWC, a woman's maternity leave may be triggered if she is absent due to a pregnancy-related illness.

7. Maternity Pay

- a. Less Than One Year's Continuous Service Payments for employees who have less than 1 year's continuous local government service at the beginning of the eleventh week before the EWC shall be the employee's entitlement to Statutory Maternity Pay (SMP) or Maternity Allowance (MA). Statutory Maternity Pay (SMP) will be payable if the employee has been employed continuously for at least 26 weeks ending with the 15th week before the EWC, and has an average weekly earnings at least equal to the lower earnings limit for National Insurance contributions.
- b. SMP is payable for 39 weeks; for the first six weeks it is paid at 90% of the average weekly earnings. The following 33 weeks will be paid at the SMP rate or 90% of the average weekly earnings whichever is the lower.
- c. Women who do not qualify for Statutory Maternity Pay may be entitled to Maternity Allowance, paid by the Benefits Agency, for up to 39 weeks. To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth. Details of the current rates of Statutory Maternity Pay and Maternity Allowance may be found on the government's website www.gov.uk
- d. More Than One Year's Continuous Service Payments for employees who have completed 1 year's continuous local government service at the 11th week before the EWC shall be as follows:
 - i. First 6 weeks of absence:

The employee will be entitled to 90% of a week's pay. This will be offset against payments made by way of SMP (or Maternity Allowance [MA] for employees not eligible for SMP). This means that any SMP or MA payments will not be paid in addition to the 90% of a week's pay; instead the higher of these amounts will be paid.
 - ii. Weeks 7 – 52 of absence:

An employee who declares in writing that she intends to return to work will, receive 50% of a week's pay for the subsequent 12 weeks' absence. She will also receive SMP, if eligible to do so, and the only reason that any deduction will be made is if the combined pay and SMP (or MA and any dependent's allowances if the employee is not eligible for SMP) exceeds her contractual full pay. As an alternative to the twelve weeks' 50% pay the equivalent amount (i.e. 6 weeks' pay) may be paid over any other mutually agreed distribution. The twelve weeks' 50% pay (or equivalent payment) made by the authority during maternity leave is made on the understanding that the employee will return to local authority employment for a period of at least three months. In the event that she does not do so, she will be required to refund the monies paid. This may be varied at the discretion of CTC if there is good reason to do so. Payments made to the employee by way of SMP are not refundable. For the remainder of the maternity leave period the employee will receive their entitlement to SMP (which currently ends after 39 weeks in total),

where eligible. Once the SMP payments have ended any remaining maternity period will be unpaid. For employees not intending to return to work, payments during their maternity leave period following the first 6 weeks will only be their entitlement to SMP (currently ending after week 39), where eligible.

8. Pension

The following information relates to employees who are members of the Local Government Pension Scheme. Employee Contributions During Maternity/Paternity/Adoption Leave Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave. Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- a. Periods of unpaid Ordinary Maternity Leave, Ordinary Adoption Leave and Paternity Leave, when the employer continues to make pension contributions.
- b. Periods of unpaid Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions. In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.
- c. Employer Contributions During Maternity/Paternity/Adoption Leave
CTC will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount. APP does not apply during any unpaid period of Additional Maternity Leave or Additional Adoption Leave. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave. If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:
 - i. The employee will pay 1/3 of the cost of the APC
 - ii. The employer will pay 2/3 of the cost of the APC. If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless CTC voluntarily agrees to contribute to the APC.

9. Continuous Service

Maternity leave counts as continuous service for statutory and contractual purposes.

10. Leave During Maternity Leave

a. Annual Leave

Annual leave continues to accrue during maternity leave.

b. **Bank/Public Holidays**

Bank/public holidays continue to accrue during maternity leave.

c. **Carry Forward of Annual Leave**

The employee and the Town Clerk should review annual leave arrangements prior to maternity leave being taken. Where taking maternity leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year

d. **Treatment of Leave Where a Woman Changes Her Hours after Maternity Leave**

If an employee changes their hours after taking maternity leave, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated on their new hours.

For an example of calculating this, see Appendix A at the end of this Policy.

11. Returning To Work

a. **Notification requirements**

Line Managers must assume that an employee will return after 52 weeks. An employee need only notify her employer that she is returning to work if she is going to do so before the end of her maternity leave. Otherwise, the employee simply returns at the end of her maternity leave. However, as the return to work impacts on the half pay element of the Green Book maternity pay, a manager can ask the employee to inform them if they intend to return to work. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their manager know when they are likely to return as soon as possible that would be appreciated.

b. **Early return**

If an employee wishes to return early or on a different date than they had previously notified, they must give 21 days' notice.

c. **Keeping In Touch**

A woman can do up to 10 days' work during her maternity leave, in agreement with her Line Manager, without bringing her maternity leave to an end. Working for part of a day will count as one day. A woman will not lose any SMP (Statutory Maternity Pay) for working up to 10 days. Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace. Line Managers need to ensure that they keep in touch with their employees whilst they are on maternity leave. If you do not wish to be contacted, please notify your manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on maternity leave.

Appendix A

Example:

A woman working full-time (37 hours per week) and entitled to 24 days' annual leave per year takes maternity leave. She requests to reduce her hours to 20 hours per week on her return to work and her employer agrees. The employer's annual leave year runs from 1 April to 31 March. Although she had used all the previous annual leave year's entitlement before taking maternity leave, she had not taken any of the current annual leave year's entitlement.*

Her maternity leave ends on 30 June. If her hours are changed with effect from 1 July, her accrued annual leave will be calculated as follows:

1 April to 30 June (when her working day was 7.4 hours)
24 days' annual leave per year = 2 days per month
Leave accrued 1 April to 30 June (3 months) = 6 days @ 7.4 hours = 44.4 hours

Plus

1 July to 31 March (when her average working day will be 4 hours)
24 days' annual leave per year = 2 days per month
Leave accrued 1 July to 31 March (9 months) = 18 days @ 4 hours = 72 hours

The employee's total annual leave for the current year will be 116.4 hours. Because she will be reducing the length of her working day to 4 hours, this will equate to 29.1 days on her return to work.

* For simplicity, this example does not take account of bank/public holidays, although these accrue during maternity leave and would also need to be factored into any calculations.

3. Breastfeeding Policy

CTC welcomes mothers to breastfeed their babies in any public area of CTC, during normal working hours. This means:

- All our staff will support the needs and rights of mothers' breastfeeding.
- If another customer/visitor to the premises objects to discreet breastfeeding, they will be told management supports breastfeeding.
- If the situation cannot be resolved readily, staff should refer customers / visitors to senior management.
- A copy of this policy will be issued to all new staff and a copy should be kept accessible in case it needs to be shown to a member of the public or site visitor. If a member of staff feels they need more guidance on implementing this policy they should speak to the Town Clerk.

CTC will:

- Promote a welcoming breastfeeding culture
 - Display the 'Positive about Breastfeeding' branding
 - Share this policy with all staff members and volunteers
- The Positive About Breastfeeding Scheme The 'Positive about Breastfeeding' scheme aims to facilitate greater acceptance and promotion of breastfeeding in commercial, health and community settings, with the overall goal of increasing the numbers of mothers who feel comfortable and confident to breastfeed their baby.

4. Paternity Policy

1. To Whom This Policy Applies

An employee has a statutory entitlement to take paternity leave for the purpose of caring for a child or supporting the child's mother in the first few weeks following the birth.

2. Paternity Leave (PL) and Maternity Support Leave (MSL)

a. Eligibility Criteria

To qualify for Paternity Leave the employee must satisfy the following. They must:

- Be the father of the child, or be married to or be the partner of the child's mother;
- Have or expect to have responsibility for the upbringing of the child; and
- Have 26 weeks' continuous service with CTC by the end of the fifteenth week before the expected week of childbirth (EWC).

Paternity Leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either adoptive parent may take paternity leave where the other adoptive parent has qualified and elected to take adoption leave.

b. Paternity Leave (PL)

An employee who meets the qualifying criteria is entitled to two weeks' Paternity Leave. An employee can take either one week or two consecutive weeks' Paternity Leave, paid at the current Statutory Paternity Pay (SPP) rate. It must be taken within 56 days after the child is born or adopted. Employees must take this leave in full weeks, i.e. either one or two weeks' leave.

c. Maternity Support Leave (MSL)

Paragraph 7.6 of Part Two of the Green Book provides a right to Maternity Support Leave (MSL) of one week. This is provided for the child's father, or the partner or nominated carer of an expectant mother at or around the time of birth. There is no qualifying service requirement for this right.

Maternity Support Leave replaces one week of Statutory Paternity Leave; during this time any SPP is topped up to full pay. Therefore, an employee who would otherwise have been entitled to two weeks' Statutory Paternity Leave will be entitled to one week's Maternity Support Leave (during which Statutory Paternity Pay will be topped up to full pay) and one week's Statutory Paternity Leave (during which they will receive Statutory Paternity Pay).

d. Notification Requirements for Paternity Leave and Maternity Support Leave

Before Paternity Leave starts

The employee must provide the following in writing by the end of the fifteenth week before the expected week of childbirth. If this is not possible, notice must be provided as soon as is reasonably practical:

- The expected week of childbirth (EWC);

- Whether they intend to take one or two weeks' leave;
- The date the employee wishes to take their leave, as discussed with their manager. If requested, the employee must also provide a copy of the mother's MATB1 as well as providing the employer with a signed declaration confirming they are:
- The baby's biological father, married to or in a civil partnership with the mother, or living with the mother in an enduring family relationship, but are not an immediate relative; and
- Will be responsible for the child's upbringing and will take time off work to support the mother or care for the child.

e. After the birth

The employee must also inform the employer of the date the child was born, as soon as is reasonably practical after the child's birth.

f. Ante-natal Care

Expectant fathers, and partners of pregnant women have the right to unpaid time off to attend two antenatal appointments with the expectant mother, with a maximum statutory entitlement of 6 ½ hours' time off for each appointment. They must produce evidence of appointments if requested to do so.

g. Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During Maternity/Paternity/Adoption Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave. Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Maternity Leave, Ordinary Adoption Leave and Paternity Leave, when the employer continues to make pension contributions.
- Periods of unpaid Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

h. Employer Contributions During Maternity/Paternity/Adoption Leave

CTC will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, CTC will pay contributions based on this higher amount.

APP does not apply during any unpaid period of Additional Maternity Leave or Additional Adoption Leave. The employee can, if they wish, choose to enter

into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave. If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless CTC voluntarily agrees to contribute to the APC.

i. **Continuous Service**

Paternity leave and Maternity Support leave will count as continuous service for statutory and contractual purposes.

j. **Annual Leave and Bank/Public Holidays**

Annual leave and Bank/Public holidays will continue to accrue during paternity leave and Maternity Support leave.

5. Adoption Policy

1. To Whom This Policy Applies

This policy applies to all CTC employees seeking to adopt a child from approved Adoption Agencies.

The right to adoption leave is available to men and women (whether married or single) who adopt a child through an approved adoption agency. Where a couple jointly adopts a child, only one of them (known as the primary adopter) will be entitled to take adoption leave (the couple can choose which). The other adoptive parent (known as the secondary adopter) will normally be entitled to take Statutory Paternity Leave, provided that he or she meets the relevant statutory criteria.

2. Adoption Leave

All employees, regardless of their length of service, are entitled to 26 weeks of Ordinary Adoption Leave and 26 weeks Additional Adoption Leave (subject to providing the sufficient evidence as per below). Adoption leave can start:

- up to 14 days before the date the child starts living with the adopter (UK adoptions)
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (if the employee has used a surrogate to have a child)

An employee can change their mind about when they start their leave, provided they give sufficient notice. They must inform their manager of the new date 28 days before the date they now wish their leave to start, or as soon as is reasonably practical.

3. Adoption Pay

Payments for employees shall be the employee's entitlement to Statutory Adoption Pay (SAP), where eligible. Statutory Adoption Pay is paid for up to 39 weeks. The weekly amount is:

- 90% of employees average weekly earnings for the first 6 weeks
- SAP or 90% of employees average weekly earnings (whichever is lower) for the next 33 weeks

This provision is the statutory entitlement. Details of the current rates of Adoption Pay may be found on the government's website www.gov.uk

4. Eligibility Criteria

To qualify for Adoption Pay an employee must:

- Have 26 weeks' service by the notification week; and
- Be the child's adopter, i.e. have been matched with the child for adoption.

A person is matched with a child when an adoption agency decides that they would be a suitable adoptive parent for the child.

The notification week is the week in which the employee is informed by the adoption agency that they have been matched with a child.

The employee needs to have agreed with the adoption agency that the child should be placed with them and the date the placement should occur and provide CTC with the appropriate notice and evidence of entitlement.

5. Notification Requirements

Within 7 days, or as soon as possible after the day the employee receives notification from the adoption agency that they have been matched with a child, an employee must inform the Town Clerk in writing of the following:

- the date the child is expected to be placed with them for adoption;
- the date the employee has chosen to start their leave and pay. 5 Evidence In order to receive Adoption Pay and leave, the employee must provide the Town Clerk with either a matching certificate and/or a letter from the adoption agency which shows the following: • the name and address of the adoption agency;
- the employee's name and address;
- the date the child is expected to be placed for adoption, or where the child has already been placed, the date of placement, and;
- the date the employee was informed that the child would be placed with them. Where an employee is entitled to Statutory Adoption Pay (SAP) they must provide a signed declaration that they have elected to receive SAP and not statutory paternity pay (SPP).

6. Adoption Appointments

The main adopter has the right to take paid time off for up to five adoption appointments. The secondary adopter will be entitled to take unpaid time off for up to two appointments.

7. Leave During Adoption Leave

a. Annual Leave

Annual leave continues to accrue during adoption leave.

b. Bank/Public Holidays

Bank/public holidays continue to accrue during adoption leave.

c. Carry Forward of Annual Leave

The employee and their line manager should review annual leave arrangements prior to adoption leave being taken. Where taking adoption leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

8. Continuous Service

Adoption leave counts as continuous service for statutory and contractual purposes.

9. Pension

The following information relates to employees who are members of the Local Government Pension Scheme. Employee Contributions During Maternity/Paternity/Adoption Leave Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave. Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Maternity Leave, Ordinary Adoption Leave and Paternity Leave, when the employer continues to make pension contributions.
- Periods of unpaid Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Maternity/Paternity/Adoption Leave

CTC will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, CTC will pay contributions based on this higher amount. APP does not apply during any unpaid period of Additional Maternity Leave or Additional Adoption Leave. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave. If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless CTC voluntarily agrees to contribute to the APC.

10. Returning to Work

a. Notification Requirements

- b. Line Managers must assume that an employee will return after 52 weeks. An employee need only notify their employer that they are returning to work if they are going to do so before the end of the Adoption Leave. Otherwise, the employee simply returns at the end of the Adoption Leave. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their Line Manager know when they are likely to return as soon as possible that would be appreciated.

c. Early Return

If an employee wishes to return early or on a different date than they had previously notified, they must give 8 weeks' notice.

d. **Keeping in Touch**

An employee can do up to 10 days' work during their adoption leave, in agreement with their manager, without bringing their Adoption Leave to an end. Working for part of a day will count as one day. An employee will not lose any SAP (Statutory Adoption Pay) for working up to 10 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employee whilst they are on adoption leave. If you do not wish to be contacted please notify your Line Manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on adoption leave

6. Capability Procedure

Introduction

This procedure should be used primarily for supporting, enhancing and improving the performance of employees. In accordance with the Employment Rights Act 1996, Human Rights Act 1998 and the ACAS Code of Practice on Disciplinary Procedures this procedure sets out a framework for resolving issues relating to poor performance. The procedure aims to ensure that consistent and fair treatment is given to individuals.

Scope

Where there are issues of misconduct or of negligence these should be dealt with under the Disciplinary Procedure. In addition for matters of sickness, disability or ill health the Absence Management Policy should be used.

General Principles

- The Procedure is not a substitute for good management practices and should only be invoked when initial attempts to improve performance have been unsuccessful following discussions between the employee and their manager.
- The employee must be given at least 5 working days notice of the requirement to attend a formal review meeting or an appeal.
- The employee has the right to be represented at formal review meetings or appeals.
- In the event of a formal warning or a dismissal the employee has the right of appeal.

Related Procedures

When using the procedure it may be necessary to refer to the contents of other agreed documents such as:-

- The Equal Opportunities Policy
- The Grievance Procedure
- The Absence Management Policy

Representation

Employees have the right to representation at hearings and appeals relating to any stage of the formal procedure. This can be a trade union representative, non-union employee representative or a work colleague. Representatives can take an active part in review meetings.

Action against a Trade Union Official

In normal circumstances no action will be taken against an officer of a recognised Trade Union until the matter has been discussed with a full-time officer of that union.

The Informal Procedure

The Town Clerk (or Chair of the Staffing Committee, in relation to matters concerning the Town Clerk) should deal with minor issues of poor performance in the first instance.

A meeting with the employee to discuss poor performance should be arranged and any problems or areas for concern should be raised by the Town Clerk. Appropriate support and training should be offered to assist the individual in meeting the required standards in the future. Realistic targets should be agreed with the individual and future expectations made clear by the Town Clerk. The Town Clerk should record the points discussed in the meeting and confirm this in writing to the employee along with the agreed plan to achieve acceptable levels of performance. A review meeting within 2 months should be arranged to assess whether targets have been met and whether performance is satisfactory.

In most cases these meetings should provide sufficient guidance, support and clarification of standards to rectify the situation.

However, the formal procedure will apply when:-

- previous informal advice or guidance has proved ineffective;
- The performance is so poor that informal discussions are unlikely to help.

The Formal Review

If informal discussions have proved unsuccessful in raising performance levels to the standards set by the Town Clerk then the formal procedure will be invoked. There are three stages to the formal procedure and the employee will have the right of representation at each stage.

During each stage the employee's performance will be monitored closely. The method of doing this will be made clear to them at the conclusion of each review meeting.

Stage 1: The Capability Review

The Capability Review should build on the informal discussions. It should be sufficiently specific for the employee to know exactly what it is about their performance that is unsatisfactory and how they can improve to the required standard. The Town Clerk (or Chair of the Staffing Committee, in relation to matters concerning the Town Clerk) will carry out the Review.

The review has 4 main purposes:-

- (i) To allow the Town Clerk to discuss with the employee:
 - the standards of work required;
 - what improvement is necessary;
 - how the employee can be helped to achieve them;
 - how improvement will be assessed and the timescale which must be reasonable.
- (ii) To allow the employee to:
 - obtain a clear understanding of what is expected of them;
 - give an explanation or comment on their work;
 - give their views on how the problem can best be tackled.
- (iii) To allow the Town Clerk and the employee to explore other options:
 - additional instruction, training or personal development activity;
 - referral to Cornwall Council occupational health which may involve alternative action under CTC's Absence Management Policy.
- (iv) To make clear to the employee
 - the timescale for improvement;
 - how and by whom their work will be monitored through the review period;
 - the consequences if their work does not improve or improvement is not maintained

Ideally, standards of performance should be agreed between the Town Clerk and employee. However, in the absence of such an agreement, the Town Clerk must satisfy himself or herself that any targets set are reasonable and non-discriminatory. If training has already been given then its effectiveness should be reviewed and any further training and support agreed.

If, at the conclusion of the review the Town Clerk is satisfied that there is a shortfall in performance, the employee should be issued with a formal warning and an action plan, including timescales, to achieve. It should also be made clear that failure to achieve the action plan will lead to the next stage of the formal procedure. The length of time given to improve will depend on the nature of the job and the performance gap, but in normal circumstances it should not be more than 3 months. The Town Clerk should confirm the outcome of the meeting in writing to the individual within 5 working days.

Stage 2 – The Capability Review

If the employee fails to achieve the standards and/or the timescales set out in the action plan then Stage 2 of the procedure is invoked. This involves a further review, based on the same structure as that for Stage 1.

Stage 2 of the Capability Review will be conducted by the Town Clerk (or Chair of the Staffing Committee, in relation to matters concerning the Town Clerk). If it is concluded that there is still a performance issue to be addressed a further formal warning should be issued and action plan giving details of the standards of performance required and the timescales within which these must be achieved. The employee should be reminded that if the action plan is not achieved, then Stage 3 will be invoked. It needs to be made clear that Stage 3 may result in a decision to dismiss the employee. Again, the length of time given to improve will depend on the nature of the job and the performance gap, but in normal circumstances should not be more than 3 months. A letter to confirm the outcome of the meeting should be sent to the employee within 5 working days, it should also explain the employee's right to appeal against any warning issued.

Stage 3 – The Final Capability Review

The Final Capability Review will be heard by three members of the Staffing Committee.

The Town Clerk who conducted Stages 1 and 2 should also be present to provide details of the previous review meetings and of the steps taken to encourage improvement in the employee's performance.

The employee will have the opportunity to respond and put forward any points they wish to be considered.

Consideration should be given to any alternatives to dismissal such as redeployment or options of downgrading, however this may not always be possible and will depend on each individual situation and the circumstances of the organisation.

The Panel must satisfy themselves that they have heard all of the relevant information and that the employee has been given sufficient opportunity to improve. If they consider that the employee's performance remains unsatisfactory they must inform the employee that their employment is terminated on the grounds of capability or any alternatives to dismissal.

The employee's dismissal will be with notice or, if serving their notice period is not in the interests of CTC, they will receive pay in lieu of notice. The dismissal must be confirmed in writing within 5 working days, stating the reasons for it and informing the employee of their right of appeal.

Levels of Authority

Guidance is given here on the appropriate levels of authority although alternative arrangements may have to be made on occasion.

Formal	Officer	Authority
Stage 1 & 2	Town Clerk	Formal warnings
Stage 3	Staffing Committee	Dismissal

The Right of Appeal

In the event of a formal warning or dismissal the employee has the right of appeal to the Town Clerk (or Chair of the Staffing Committee, in relation to matters concerning the Town Clerk). The Appeal must be made in writing within 10 days of the date of the letter confirming dismissal.

Three members of the Appeal Committee will hear the appeal, providing that they have had no previous involvement in the matter, assisted by an independent adviser.

The appeal will take place as soon as is practically possible. The Appeal Panel will consider the details of the poor performance presented by the Chair of the Final Capability Review and will consider the comments of the employee.

The decision of any appeal hearing is final.

Training

Appropriate training will be given to the Town Clerk or any Councillors who might be involved in capability or appeals meetings to ensure they fulfil their responsibilities under this procedure.

7. Development and Training Strategy (including Training Plan and Needs)

1. National Training Strategy for Parish and Town Councils

- 1.1. In November 2000, in response to the Rural White Paper the Countryside Agencies and National Association of Local Councils (NALC) were tasked with developing a National Training Strategy to provide training and support for Parish and Town Councils. The purpose of this Strategy is to enable Councils to make the most of their role and to be able to carry out their duties more easily.
- 1.2. The Strategy commented that "There is the all too common feeling that because people have worked in local councils for years that they "don't need training" or "know all they need to know". The reality is that Councils must take responsibility for the continuous development of their staff and members. Being up to date with changes in policy and legislation and advances in technology is essential if Councils are to work more efficiently." *A National Training Strategy for Parish and Town Councils, November 2001*
- 1.3. The Strategy advocates:
 - An emphasis on measurable performance and quality initiatives.
 - A continued focus on competence and lifelong learning.
 - A need for a flexible approach towards continuing professional development.
- 1.4. Camelford Town Council (CTC) fully embraces this Strategy.

2. Camelford Town Council

- 2.1. It is CTC's aim to create a culture of learning and to ensure Staff and Town Councillors are offered every opportunity for personal development and learning. CTC values all types of learning, fully supporting and positively encouraging lifelong learning.
- 2.2. CTC is committed to providing Staff and Town Councillors with development, training and educational opportunities to acquire the skills and competencies that are needed by CTC.
- 2.3. A general principle of CTC's development and training provision is that it should, as far as possible, be open to all, not only those who need it for their current roles, but also to those who wish to acquire new skills in order to fulfil other roles within CTC.
- 2.4. Staff and Town Councillor development is relevant to everyone, embedded in all working practice, throughout an individual's term of office with the Town Council or a member of staff's time at CTC. Reflection, review, feedback and opportunities for learning should form an integral part of everyone's experience.

3. Purpose of Staff and Town Councillor Development

- 3.1. Development related activities should include on and off job learning, using an appropriate balance of in-house and external facilitators, and providing as much flexibility as possible in terms of location and times, to allow for individual needs. It must however, be acknowledged that resources may limit

the options available, and individual needs must always be balanced with those of CTC.

- To ensure that Town Councillors are trained to levels appropriate to their roles in order to perform legally and effectively in the best interests of themselves, of others and of CTC.
- To ensure provision of development and training which extends knowledge, competence and capability to meet on-going service delivery needs.
- To facilitate the implementation of Town Council procedures and policies.
- To assist in the development of good practice.
- To improve individual and CTC performance by personal development of individuals.

4. Programme of Development and Training

4.1. CTC provides a development and training opportunities for *all* Staff and Town Councillors. Whilst the opportunities are non-compulsory, Staff and Town Councillors are positively encouraged to participate.

- **Induction** – All staff and new councillors receive induction training, which include roles and responsibilities, procedures etc.
- **Professional Development** – ongoing courses to develop and train staff and Town Councillors in their roles and responsibilities.

For Town Councillors this may include:

- making good decisions – duties, responsibilities and Best Practice in meetings. The role of Town Councillor, Chairman and Town Clerk. Achieving policy objectives through productive meetings. The cycle of meetings, committees, delegation and policy making. The importance of the Agenda, Minutes and Standing Orders.
- For staff this may include:

Grounds staff – chainsaw, ROSPA, strimming, grass cutting

Office staff – library training, health and safety, customer service, CiLCA, accountancy training, iLCA etc

5. Training Providers

5.1. CTC organise training through Cornwall Council, CALC, NALC and the SLCC for both staff and Councillors. Examples of training offered include:

- Chairmanship
- Minutes and Agendas
- Planning
- Code of Conduct
- VAT
- iLCA
- CiLCA

5.2. For Town Councillors, we issue the following publications:

- The Good Councillors Guide
- Code of Conduct
- CTC Policy and Procedures

- Induction Pack

6. Recording and Measurement

- 6.1. Staff and Town Councillor development and training opportunities are required to be discussed on an annual basis, usually during budget discussions with the Finance Committee and Staff Committee and are also organised following staff appraisals.
- 6.2. Staff Development/Training Plan and Record – this is held on the individual's personnel file and updated when training or an appraisal has been completed. (Appendix A)
- 6.3. Town Councillor Training Plan and Record – this is held in a Councillor Training File and is updated when training has been booked/completed. (Appendix B)
- 6.4. A full report of training undertaken by staff and Town Councillors is presented to the Staffing Committee on an annual basis by the Town Clerk.

7. Responsibilities – Town Councillors

- 7.1. CTC and Town Councillors themselves both share in the responsibility for development and training. These responsibilities are:
 - **Town Clerk**
 - To provide ongoing encouragement to Town Councillors to undertake personal development and training.
 - To provide relevant advice, resources and support to Town Councillors in their endeavours to develop and enhance relevant skills.
 - To monitor Town Councillor development and training cyclically, with review and revision on a regular basis.
 - **Town Councillors**
 - To value and take responsibility for their own learning, development and careers.
 - To have regard for their role in the successful operation of CTC.

7.2. Responsibilities - Staff

- 7.3. CTC and staff both share the responsibility for development and training. These responsibilities are:
 - **Town Council (Staffing Committee)**
 - To make clear that it values the learning and roles of all staff.
 - To provide the necessary advice, resources and support for individual staff's development and training.
 - To monitor staff development and training cyclically, with review and revision on a regular basis (including at appraisal)
 - Responsibilities to be accepted on signing the Staff Development and Training Charter (Appendix C).
 - **Staff**

- To value and take responsibility for their own learning, development and careers.
- To have regard for their role in the successful operation of CTC.
- Responsibilities to be accepted on signing the Staff Development and Training Charter (Appendix D).

APPENDIX A

CAMELFORD TOWN COUNCIL STAFF DEVELOPMENT/TRAINING PLAN AND RECORD

Staff name: _____
Line manager: _____
Date of appraisal: _____

Development and training identified	Action	Responsible	Review Date	Completed date

APPENDIX B

CAMELFORD TOWN COUNCIL COUNCILLOR DEVELOPMENT/TRAINING PLAN AND RECORD

Name of Councillor	Development and training identified	Action	Responsible	Review Date	Completed date



TOWN COUNCILLOR DEVELOPMENT CHARTER

Name of Town Councillor:

As a member of Camelford Town Council (CTC), I will be working for an organisation in which learning is valued. I will be supported to undertake training and development which I need to help me achieve and maintain a high standard of performance and will be given encouragement and support to achieve my full potential.

I am entitled to:

- Equality of opportunity in all aspects of my development.
- An induction programme in my own role as well as to the workings of CTC.
- An understanding of the direction and objectives of CTC.
- An understanding of the contribution that is expected of me.
- A Personal Development Plan which addresses my development needs.
- A Chairman who is committed to member development.

I will be encouraged to undertake:

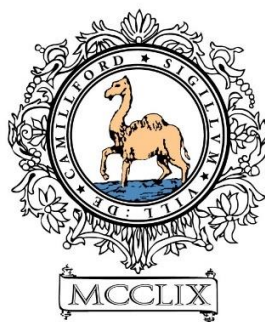
- Continuous learning and development throughout my term with CTC.

I recognise that learning is a personal responsibility and I will therefore:

- Share responsibility with CTC for identifying my development needs.
- Take advantage of development opportunities.
- Take the initiative when I recognise opportunities for learning.
- Share my knowledge with others.

Signed by Town Councillor

Signed by Town Mayor or Town Clerk



STAFF DEVELOPMENT CHARTER

Name of staff: _____

As a member of staff of Camelford Town Council (CTC), I will be working for an organisation in which learning is valued. I will be supported to undertake training and development which I need to help me achieve and maintain a high standard of performance and will be given encouragement and support to achieve my full potential.

I am entitled to:

- Equality of opportunity in all aspects of my development.
- An induction programme in my own role as well as to the workings of CTC.
- An understanding of the direction and objectives of CTC.
- An understanding of the contribution that is expected of me.
- A Personal Development Plan which addresses my development needs.
- A Chairman who is committed to member development.

I will be encouraged to undertake:

- Continuous learning and development throughout my term with CTC.

I recognise that learning is a personal responsibility and I will therefore:

- Share responsibility with CTC for identifying my development needs.
- Take advantage of development opportunities.
- Take the initiative when I recognise opportunities for learning.
- Share my knowledge with others.

Signed by Town Councillor

Signed by Town Mayor (or Town Clerk)

Pay Policy Statement 2021-22

Index

1.	Introduction	1
2.	Purpose and aim of the policy	1
3.	Scope	1
4.	Policy statement	1
5.	Policy details	2
6.	Pay multiple	5
7.	Consultation and engagement	5
8.	Performance and risk management	5
9.	Communicating the policy	5
10.	Information and training	5
11.	Evaluation and review	5

1. Introduction

This pay policy statement describes CTC's policies that relate to the pay of its workforce, particularly its senior officers and its lowest paid workers. This will be approved by Full Council at its next meeting in 2021.

2. Purpose and aim of the policy statement

This document fulfils the requirement of the Localism Act 2011 that local authorities prepare and publish a pay policy statement for each financial year. The pay policy statement is intended to provide sufficient information about pay policy to enable local taxpayers to reach an informed view about local decisions on all aspects of remuneration for relevant employees. It also sets the context for the numerical information that is published by CTC under Local Government Transparency Code 2015 and by The Accounts and Audit (England) Regulations 2011.

3. Policy statement

CTC is committed to transparent, fair and equitable pay and reward arrangements that provide value for money and enable the recruitment and retention of employees with the skills and motivation to deliver high quality services for Cornwall and its communities. The policies that support these objectives are summarised in section 5.

4. Scope

The pay policy statement describes the pay arrangements that apply to CTC's senior and lowest paid employees. The senior employee is CTC's Clerk and Responsible Financial Officer. CTC's lowest paid employees are those whose terms and conditions of employment are established by the National Joint Council for Local Government Services and amended through local collective agreements from time to time. CTC's lowest paid employees aged over 25 receive a salary equivalent to the minimum of spinal column point 1 on the National Association of Local Council's pay structure. CTC will honour the Living Wage Foundation Living Wage as its pay structure minimum. This will mean that its lowest paid employees will be paid £9.27 per hour (SCP 1) with effect from 1 July 2017.

5. Policy details

The policies set out below apply to CTC's senior officers and its lowest paid employees unless otherwise stated.

5.1 Pay structure

CTC's pay structure for the relevant employees consists of 7 job roles with salary point and ranges. Grades are allocated to roles through a process of job evaluation which establishes the relative value of different roles. Employees are appointed to the minimum of the salary range for the job unless there is a substantial reason for making an exception, for example to secure the appointment of a candidate of the right calibre.

CTC uses the NALC and SLCC recommended salary scales. In exceptional circumstances, for example for retention reasons, employees may be awarded accelerated salary progression at the discretion of CTC.

CTC's Staffing Committee is responsible for, amongst other things, recommending the remuneration of the Clerk. Further details on the responsibilities of Staffing Committee are set out in its terms of reference which are available on CTC's office.

Where an employee is promoted or regraded to a higher grade, they should receive an immediate pay increase.

CTC has agreed that it will implement the outcome of national pay negotiations on pay and make appropriate adjustments to its pay structure.

CTC's pay structure creates the foundation for the relationship between the pay of all the roles within the scope of the pay policy statement.

5.2 Job evaluation

Job evaluation is used to determine the relative value of roles within CTC. Different elements within each role will accrue a number of job evaluation points. The total number of points accrued will determine the relevant grade for each role. CTC uses the National Association of Local Councils (NALC) Scheme and the NJC Green Book.

5.3 Market supplements

In exceptional circumstances, CTC may pay a market supplement in addition to the salary for a role where, in the absence of such a payment, it would not be possible to recruit and retain suitable employees. The value of the market supplement takes into account the labour market pay information for similar jobs. Any market supplements are reviewed on an annual basis and are varied or ceased as necessary according to the labour market evidence for the role in question.

5.4 Premium payments

The standard working week for employees within the scope of this policy statement is 37 hours, worked from Monday to Saturday. For some employees who are required to work outside the normal working week, a premium payment may be due. The premium payments which may be payable are set out below.

5.4.1 Overtime

Overtime is time worked beyond the standard (37 hours) or contracted working week. Overtime is only paid in circumstances where it is not practicable to grant compensatory time-off in lieu. All paid overtime is subject to authorisation in advance by the Clerk. Overtime is paid at plain time with the exception of emergency recall to work after 8pm which attracts a 50% plusage + mileage.

5.4.2 Work on public holidays

Work on public holidays is compensated by time-off in lieu.

5.5 Allowances

5.5.1 First aid allowances

Employees designated by CTC as recognised first aiders are entitled to a First Aid payment. An Addition SCP within the salary range is granted to full time employees designated as recognised first aiders provided that they maintain a current First Aid Certificate. In the case of part-time employees, a pro rata payment is made.

5.5.2 Professional fees

CTC pays the professional fees of employees where CTC's Staffing Committee determines that membership of a professional body is essential for the continuous professional development of an employee.

5.6 Business travel and expenses

Where employees are required to travel in the course of their duties, they are expected to determine the most appropriate form of transport taking into account the total cost, travel time and carbon emissions. The cheapest form of transport will normally be chosen unless the travel time is unreasonable. If there are two forms of transport with comparable costs, the transport with the lowest carbon emissions must be selected unless the travel time is unreasonable. If public transport is used, the cheapest travelling fare should be chosen, for example a monthly or annual season ticket. It is CTC's policy not to pay for first class travel.

5.6.1 Mileage allowances

Where employees use their own vehicles for business purposes, the following allowances will apply in each tax year 45p per mile for the first 10,000 miles, 25p per mile for each mile thereafter.

5.6.2 Subsistence payments

Employees may claim reimbursement of reasonable additional expenditure actually incurred whilst they are away from their normal place of work and unable to follow their usual arrangements. Such claims will normally be paid only in circumstances where employees are required to travel out of Cornwall and incur an overnight stay. Where it is agreed that the journey will be made in a single day, claims for reasonable reimbursement for lunch and an evening meal will be considered. Reimbursement of all claims will only be paid on submission of a receipt for the expenditure incurred. All subsistence must be agreed by the Clerk for Staff, and by Full Council for the Clerk.

5.7 Pensions

CTC's policy is not to grant augmented benefits under the Local Government Pension Scheme except where it is essential to do so in order to facilitate a tangible and specific organisational benefit.

CTC's policy is not to contribute to any Shared Cost Additional Voluntary Contribution scheme.

5.8 Salary and pension payments

CTC does not exclude a person in receipt of a pension from another public sector organisation from applying for and being appointed to a job with CTC. CTC's primary concern is to appoint the best person for the job utilising an effective and fair recruitment and selection process. CTC's policy is to disregard any previous public sector retirement income as that is a matter for the relevant public sector pension fund.

5.9 Retirement

5.9.1 Early retirement

CTC's policy is not to allow employees to retire early with an unreduced pension unless a financial saving can be achieved within a period of no more than two years and there is a benefit to the service. However, from 1 April 2014, under the Local Government Pension Scheme Regulations, employees aged 55 or over have the ability to cease employment and draw a reduced pension.

5.9.2 Flexible retirement

CTC permits flexible retirement only where there is either a financial or operational benefit to CTC and where the employee's reduced level of earnings together with his or her pension does not exceed his or her pre- retirement earnings. In addition, CTC will not waive any actuarial reduction to an employee's pension benefits and any pension costs to CTC must be recovered within a two-year period.

5.10 Sickness

Employees are entitled to receive an allowance in accordance with the following scale:

During 1st - year of service	1 month's full pay and (after completing 4 months service) 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.

N.B. For the purposes of calculating "half pay, the rate of pay for the agreed salary month will be used.

6. Pay Multiple

The "pay multiple" is defined as the ratio between the highest paid salary and the median full-time equivalent salary of CTC's workforce. The ratio is 1.75:1.

7. Consultation and engagement

The recognised trade unions representing the relevant employees within the scope of this pay policy statement have been consulted on the statement.

8. Performance and risk management

In accordance with the requirements of the Localism Act, this policy statement will be kept under review and, as a minimum, will be reviewed and updated on at least an annual basis to ensure an accurate pay policy statement is published ahead of each financial year. The annual review will be facilitated and coordinated by the Clerk

9. Communicating the policy

CTC will publish its pay policy statement on its website.

10. Changes to the policy

CTC may, at any time, by resolution of CTC, amend this pay policy statement.

11. Information and training

Further information relating to this pay policy statement can be obtained from the Clerk.

12. Evaluation and review

The pay policy statement will be subject to review by no later than 31/04/2022.

Prepared by
Esther Greig
Camelford Town Clerk and Responsible Financial Officer
19th April 2021

8. Disciplinary Procedure (Adopted July 2017)

1. Introduction

This Disciplinary Procedure is designed to help and encourage employees to achieve and maintain acceptable standards of conduct and job performance at all times, including the need to: -

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

1.1 This policy indicates the disciplinary procedure that will normally be followed in the event of misconduct. The following list provides examples of conduct that will normally be regarded as misconduct leading to disciplinary proceedings. The list is not exhaustive. These are examples only:

- i. Unsatisfactory time keeping.
- ii. Absenteeism, including any absence from work during a working day without prior authorisation or instruction.
- iii. Failure to comply with rules and regulations applicable to job requirements.
- iv. Failure by an employee to perform the duties and responsibilities of his or her post to the standard expected by CTC.
- v. Insubordination.
- vi. Any other conduct that from time to time is defined by CTC as amounting to misconduct.

1.2 For first instances of minor misconduct, the Town Clerk may speak to the employee informally before implementing a formal disciplinary procedure. However there is no obligation for the Town Clerk to do this.

2. Scope

The procedure applies to all employees of CTC.

3. Verbal Warnings

Verbal Warnings are issued for most first instances of general misconduct, depending on the seriousness of the offence. If the employee is given a Verbal Warning he or she will be warned of the likely consequences of any further disciplinary offences or a failure to improve his or her conduct to the satisfaction of CTC. A note confirming the Verbal Warning will be

placed on the employees personnel file and a copy will be provided to the employee. A Verbal Warning will normally remain in force for 12 months

The Verbal Warning stage of the procedure may be omitted if the offence is of a sufficiently serious nature.

4. First Written Warning

In the case of a serious offence or repetition of an earlier minor offence the employee will normally be given a First Written Warning. A First Written Warning will be issued by the Town Clerk and will set out:

- i. the nature of the offence and the improvement required (if appropriate) and over what period;
- ii. the likely consequences of any further offence or failure by the employee to improve his/her conduct to an acceptable standard;
- iii. that further offences will result in more serious disciplinary action; and
- iv. the employee's right of appeal.

A first Written Warning will normally remain in force for 12 months.

The First Written Warning stage of the procedure may be omitted if the offence is of a sufficiently serious nature.

5. Final Written Warning

If further misconduct occurs within the time period specified in a First Written Warning, or if the misconduct is sufficiently serious the employee will be given a Final Written Warning. A Final Written Warning will be issued by the Town Clerk and will set out:

- i. the nature of the offence and the improvement required (if appropriate) and over what period;
- ii. the likely consequences of any further offence or a failure by the employee to improve his/her conduct to an acceptable standard;
- iii. that further offences will result in more serious disciplinary action up to and including dismissal; and
- iv. the employees right of appeal.

Final Written Warnings may also be issued in circumstances where the misconduct does not amount to gross misconduct but is sufficiently serious enough to warrant only one written warning.

A Final Written Warning will normally remain in force for 12 months.

6. Standard Council Disciplinary Procedure

- 6.1. In the case of further misconduct within the time period specified in any Final Written Warning or if the misconduct is sufficiently serious and CTC deems it to be appropriate to contemplate the dismissal, demotion or suspension (without pay) of the employee the following formal disciplinary procedure will be followed.
- 6.2. CTC will investigate the alleged misconduct and will establish the facts surrounding the complaint as necessary, taking into account the statements of any available witnesses.
- 6.3. CTC will set out in writing the alleged conduct or other circumstances which lead CTC to contemplate dismissing the employee or taking disciplinary action against the employee and the basis for the allegation and will send the employee a copy of the statement inviting the employee to attend a disciplinary meeting to discuss the matter. The employee will be provided with a reasonable opportunity to consider his or her response to the information provided in the statement before attending the meeting. The employee must take all reasonable steps to attend the meeting.
- 6.4. Disciplinary meetings will normally be convened within 5 working days of CTC sending the employee the written statement referred to in 6.3 above. The employee may be accompanied to any disciplinary meeting by a fellow employee or by a representative of a trade union. CTC will be represented by the Town Clerk.
- 6.5. If the time or date proposed for the meeting is inconvenient (either for the employee or for the employees companion should he or she wish to be accompanied to the meeting pursuant to 6.4 above) the employee may ask to postpone the meeting by up to 5 working days.
- 6.6. The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the Town Clerk time to consider their decision.
- 6.7. After the meeting CTC will inform the employee of their decision and any applicable sanction within 5 working days. The meeting may be reconvened for this purpose. The decision will be confirmed to the employee in writing.
- 6.8. If the employee wishes to appeal against the decision he or she must notify CTC in writing within 5 days of receiving written notice of the decision.
- 6.9. If the employee notifies CTC that he or she wishes to appeal, the employee will be invited to attend a disciplinary appeal meeting before the CTC's Staffing Committee. The employee must take all reasonable steps to attend that disciplinary appeal meeting. The employee has the right to be accompanied to

a disciplinary appeal meeting by a fellow employee or by a representative of a trade union.

6.10. A disciplinary appeal meeting will normally be convened within 5 working days of CTC receiving notification that the employee wishes to appeal pursuant to 6.8 above. If the meeting date is inconvenient for the employee or the employee's companion he or she may ask to postpone the meeting by up to 5 working days.

- i. Any new evidence that the employee wishes to put forward will be considered, as will any new evidence from CTC. The original disciplinary penalty will be reviewed.
- ii. The disciplinary appeal sanction originally imposed cannot be increased upon appeal.
- iii. The disciplinary appeal meeting will not necessarily take place before any disciplinary sanction imposed by CTC takes effect. If the employee's appeal is against dismissal and the appeal is successful the employee will be reinstated and continuity of employment will be preserved.
- iv. The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the CTC's Staffing Committee time to consider its decision.

6.11. After the disciplinary appeal meeting CTC will inform the employee of its final decision within 5 working days. The meeting may be reconvened for this purpose. The decision will be confirmed to the employee in writing.

7. CTC Dismissal Procedure for use in Gross Misconduct

7.1. The following list provides examples of conduct that will normally be regarded by CTC as Gross Misconduct. This list is not exhaustive. These are examples only:

- i. Refusal or repeated failure by an employee to carry out his or her duties.
- ii. Falsification of documents or information (including expense claims).
- iii. Unauthorised disclosure of confidential information.
- iv. Assaulting a fellow employee or any other person whilst acting or purporting to act on behalf of CTC.
- v. Insulting, indecent or offensive behaviour towards a fellow employee or any other person whilst acting or purporting to act on behalf of CTC.
- vi. Serious or repeated harassment (including sexual and racial harassment).
- vii. Incapacity at work due to the influence of alcohol, unprescribed drugs or any other substance.
- viii. Wilful damage to CTC property.

- ix. Theft, unauthorised use or possession of CTC property or theft of the property of a fellow employee.
 - x. Conduct bringing CTC into disrepute.
 - xi. Any other conduct that from time to time is defined by CTC as amounting to gross misconduct.
- 7.2. If an employee is accused of any Gross Misconduct he or she may be suspended from work on full pay pending the outcome of an investigation into the alleged offence(s). Such a period of suspension will not normally exceed 10 working days unless there are exceptional circumstances. Suspension is a neutral act which infers neither guilt nor innocence.
- 7.3. CTC will investigate the matter and will establish the facts surrounding the complaint as necessary, taking into account the statements of any available witnesses. As part of that investigation the employee will be interviewed.
- 7.4. If CTC believes the employee is guilty of gross misconduct his or her employment will be terminated summarily without notice or pay in lieu of notice.
- 7.5. CTC will send the employee a statement, setting out the allegations of misconduct that led to the employee's dismissal and CTC's basis for thinking that the employee is guilty of that misconduct. The date on which the employment terminated will be confirmed to the employee and the employee may be reminded of any continuing obligations he or she may have following the termination of employment. This statement will also explain the employee's right to appeal against CTC's decision.
- 7.6. If the employee wishes to appeal against the CTC's decision he or she must notify CTC in writing within 5 working days of receiving notice of CTC's decision pursuant to 7.5 above.
- 7.7. If the employee appeals, CTC will invite the employee to attend a disciplinary appeal meeting before CTC's Staffing Committee. The employee must take all reasonable steps to attend the meeting. The employee has the right to be accompanied to a disciplinary appeal meeting by a fellow employee or by a representative of a trade union.
- 7.8. Any disciplinary appeal meeting will normally be convened within 5 working days of CTC receiving notice from the employee that he or she wishes to appeal pursuant to 7.6 above. If the date of the meeting is inconvenient for the employee or his or her companion the employee may ask to postpone the meeting by up to 5 working days.
- i. Any new evidence that the employee wishes to put forward will be considered as will any new evidence from CTC. The original disciplinary penalty will be reviewed.
 - ii. The disciplinary sanction originally imposed cannot be increased upon appeal.

- iii. The disciplinary appeal meeting will not necessarily take place before any disciplinary sanction imposed by CTC takes affect. If the employees appeal is against dismissal and the appeal is successful he or she will be reinstated and continuity of employment will be preserved.
 - iv. The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the CTC's Staffing Committee time to consider its decision.
- 7.9. After the disciplinary appeal meeting the employee will be informed of CTC's final decision within 5 working days, the meeting may be reconvened for this purpose. CTC's decision will be confirmed to the employee in writing.

8. General Procedural Information

- 8.1. Verbal Warnings and Written Warnings will normally be issued by the Town Clerk. Disciplinary proceedings raised under the Standard Council Disciplinary Procedure will also normally be investigated and any meetings to discuss the disciplinary proceedings conducted by Town Clerk.
- 8.2. Where disciplinary proceedings are instigated against the Town Clerk. Verbal Warnings and Written Warnings will be given by the Chairman of that Committee. Any investigations and any meetings will be carried out by the CTC's Staffing Committee. Any disciplinary appeal meeting will be conducted by 3 members of CTC who do not sit on the Staffing Committee.

9. Equal Opportunities Policy (Adopted 6 December 2018)

CTC is committed to encouraging equality and diversity among our Council and eliminating unlawful discrimination.

The aim is for CTC to be truly representative of all sections of society, and for each member of staff and Councillor to feel respected and able to give their best.

Equal Opportunities Statement

- CTC is an equal opportunities employer.
- All employees and job applicants will be treated equally.
- No employee or potential employee will receive less favourable treatment on the grounds of gender, race, colour, nationality, ethnic or national origin, marital status, sexual orientation, gender re-assignment, responsibility for dependents, age, social class, trade union, political activities, religion or belief, disability or for any other reason which cannot be shown to be justified.
- No employee or potential employee will be disadvantaged by any conditions of employment or requirements that cannot be justified as necessary on operational grounds.
- Decisions about recruitment, appointments, training, developments and promotion will be made on the basis of merit or ability.
- All employees have a personal responsibility for the application of this policy which extends to the treatment of both fellow employees and customers.
- Everyone involved in recruiting, selecting, promoting and training employees has a special responsibility for the practical application of this policy.
- CTC will undertake monitoring to determine that positive promotion of equality is being achieved.
- Any employee who believes he or she may have been unfairly discriminated against is encouraged to use the Grievance Procedure.
- Any employee who conducts himself in a discriminatory manner, on any grounds, towards another employee, Councillor or member of the public will be guilty of gross misconduct and will be subject to disciplinary action.

The policy's purpose is to:

- provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time.
- not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.

- oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.

CTC commits to:

- encourage equality and diversity in the workplace as they are good practice and make business sense; and
- create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued

This commitment includes training staff and Councillors about their rights and responsibilities under the equality policy. Responsibilities include staff conducting themselves to help CTC provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

All staff and Councillors should understand they, as well as CTC, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, Councillors and the public.

CTC take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, Councillors, the general public and any others in the course of CTC's activities.

Such acts will be dealt with as misconduct under the CTC's Grievance Procedures and Disciplinary Procedures, and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

CTC will make opportunities for training and development available to all staff and Councillors, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of CTC.

Decisions concerning staff are based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).

CTC will review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.

CTC will monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the equality policy.

Monitoring will also include assessing how the equality policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues

The equality policy is fully supported by the Chair.

Details of CTC's Grievance Procedures and Disciplinary Procedures and procedures can be found on CTC's website/HR policies and copies are also available in the Town Hall. This includes with whom an employee or Councillor should raise a grievance.

Use of CTC's Grievance Procedures and Disciplinary Procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

10. Grievance Procedure

1. Introduction

1.1. This procedure applies to all employees of CTC.

1.2. The objectives of the procedure are: -

- To foster good relationships between CTC and its employees by discouraging the harbouring of grievances;
- To settle grievances as near as possible to their point of origin;
- To ensure CTC treats grievances seriously and resolves them as quickly as possible; and
- To ensure that employees are treated fairly and consistently throughout CTC.

1.3. Matters excluded from this procedure are as follows: -

- Appeals against salary or gradings;
- Appeals against disciplinary actions;
- Income tax, national insurance matters, rates of pay collectively agreed at the national or local level;
- Rules of pension schemes; and
- A grievance about a matter over which CTC has no control.

2. Informal Grievance Procedure

In the interests of maintaining good working relations the employee is encouraged to first discuss any grievance with his/her line manager or the Town Clerk with a view to resolving the matter informally if appropriate. If the employee feels that this is not appropriate or he or she wishes to pursue a formal grievance they should follow the procedure detailed below.

3. Formal Grievance Procedure (Standard Council Grievance Procedure)

- 3.1. The employee must set out his/her grievance in writing (“Statement of Grievance”) and provide a copy to the Town Clerk
- 3.2. Once the Town Clerk has had a reasonable opportunity to consider its response to the information provided in the Statement of Grievance the employee will be invited to attend a grievance meeting to discuss the matter.
 - (i) The employee must take all reasonable steps to attend the meeting.
 - (ii) Grievance meetings will normally be convened with 10 days of the Town Clerk receiving the Statement of Grievance.
 - (iii) The employee has the right to be accompanied to a grievance meeting by a fellow employee or by a Trade Union representative.
 - (iv) If the meeting is inconvenient for either the employee or his or her companion, the employee has the right to postpone the meeting by up to 5 working days.
- 3.3. A grievance meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to the Town Clerk time to consider the decision.
- 3.4. After the meeting the employee will be informed of CTC’s decision within 5 working days. The meeting may be reconvened for this purpose. CTC’s decision will be confirmed to the employee in writing.
- 3.5. If the employee wishes to appeal against the Town Clerk’s decision he or she must inform CTC within 5 working days of receiving the decision.
- 3.6. If the employee notifies CTC that they wish to appeal, the employee will be invited to attend a grievance appeal meeting before CTC’s Staffing Committee. The employee must take all reasonable steps to attend that meeting. The employee has the right to be accompanied to a grievance appeal meeting by a fellow employee or by a Trade Union representative.
- 3.7. A grievance appeal meeting will normally be convened within 5 working days of CTC receiving notice that the employee wishes to appeal pursuant to 3.5.above. If the meeting time is inconvenient for the employee or his or her companion, the employee may ask to postpone the meeting by up to 5 working days.

- 3.8. After the grievance appeal meeting the employee will be informed of CTC's final decision within 5 working days. The meeting may be reconvened for this purpose. CTC's decision will be confirmed to the employee in writing.

4. Modified Council Grievance Procedure (for former employees)

- 4.1. If an ex-employee wishes to raise a grievance, he or she must set out their grievance and the basis for that grievance in writing and provide a copy to the Chair of CTC's Staffing Committee.
- 4.2. Following receipt of a statement of grievance pursuant to 4.1.above, CTC will either write to the ex-employee inviting him or her to attend a meeting to discuss the grievance, or to ask for the ex-employee's agreement to CTC responding to the grievance in writing.
 - 4.2.1. If the ex-employee does not agree to the matter being dealt with by correspondence within 7 working days of CTC writing to them pursuant to 4.2. above steps 3.1. to 3.4. of the standard council grievance procedure will be followed. The meeting will be conducted by CTCs Staffing Committee.
 - 4.2.2. If the ex-employee does agree to the matter being dealt with by correspondence, CTCs Staffing Committee will consider his or her grievance and will respond to the ex-employee in writing within 10 working days of the receipt of such confirmation setting out the basis for CTC's decision.

5. General Procedural Information

- 5.1. Grievances raised under the standard council grievance procedure will normally be investigated, and any meetings to discuss the grievance conducted by the Town Clerk.
- 5.2. If an employee's grievance is about his/her line manager or the Town Clerk they should raise the matter with the Chair of CTC's Staffing Committee. All investigations and any grievance meeting will be conducted by the said Staffing Committee and any grievance appeal meeting will be conducted by 3 members of CTC who do not sit on the Staffing Committee.
- 5.3. Where a grievance is raised by the Town Clerk to CTC, all investigations and any grievance meeting will be conducted by the said Committee. Any grievance appeal meeting will be conducted by 3 members of CTC who do not sit on the Staffing Committee.

- 5.4. A copy of the Statement of Grievance, a note of the decision taken at the first stage of the procedure, any notice of appeal and appeal decision will be placed on the employee's/ex-employees personnel file, together with any notes or evidence taken or compiled during the course of the procedure.

11. Complaints

1. Introduction

CTC recognises that from time to time there will be concerns expressed by members of the public over the activities of CTC or one of its members or employees. To address these issues CTC has adopted a procedure for the handling of complaints. This procedure allows people to have a form of address to CTC if they feel they have a complaint or have been unfairly treated in their dealings with CTC staff.

2. Procedure

All complaints will be deemed to be “informal complaints” unless a written complaint expressly states “formal complaint”.

a. Informal Complaints

Complaints may be given orally or in writing to any member of staff or Councillor. Where the complaint is about the Town Clerk, the complaint should be notified to the Chair of CTC’s Staffing Committee.

The complainant should be directed to the Complaints procedure on the website: www.camelford-tc.gov.uk.

It is hoped that the complaint can be dealt with at an informal level in consultation with the employee to whom it refers. The response should be given to the complainant within 3 days.

If after receiving a response, the complainant remains unhappy, they can escalate the matter to a Formal Complaint.

b. Verbal Complaints

On receipt of a complaint by telephone or in person, the Town Clerk will try to satisfy the complainant immediately or as soon as is practicable.

Any anonymous complaint will not be dealt with.

If the Town Clerk is unable to answer the complaint immediately, then full details of the complaint together with the complainant’s telephone number, name and contact details will be recorded so that a further verbal response can be made as soon as possible. Details will be recorded in line with GDPR data protection rules.

If a verbal response is unable to satisfy, then the Town Clerk/Chair will ask that the complaint be put in writing in order that it can be investigated more fully.

c. Formal Complaint

Any formal complaint against a member of staff must be submitted in writing. Where the complaint is about the Town Clerk, the complaint should be notified to the Chair of CTC. Any complaint about a CTC employee will normally be dealt with as an employment matter to the Town Clerk. They may request in writing that the Staffing to convene and consider the complaint.

The letter must state that a Formal Complaint is being made and include the following information:

- Name, address, and telephone number of the complainant
- Who is the complaint about or the full nature of what the complaint is about
- How the issue has affected the complainant
- Copies of any relevant documents
- Details of third parties and their involvement
- What action the complainant believes might resolve the complaint

Procedure

Receipt of the letter will be acknowledged within 48 hours and the complainant advised that the Town Clerk will investigate the complaint and respond within 10 working days. The complainant should be directed to the Complaints procedure on the website: www.camelford-tc.gov.uk and a meeting with the complainant may be considered appropriate at this stage.

The Town Clerk must also notify the person whom the complaint is about, and offer the opportunity for comment on the manner in which it is intended to try and settle the complaint.

If the complainant feels that the matter has not been resolved fully after lodging a Formal Complaint to the Town Clerk, then they may request in writing that CTC convene and consider the complaint as part of full council meeting.

The complainant may be invited to attend part of the meeting to explain the nature of their complaint, in the absence of public and press.

Persons mentioned in the complaint will have the opportunity to explain the nature of their actions to the meeting in the absence of public and press.

The result of any CTC consideration of the complaint will be announced at a full CTC meeting in public.

d. Appeals

CTC will appoint a separate Appeal Panel to whom the complainant may appeal against the decision of CTC. The membership of the Appeal Panel will not include any member involved in the original complaint.

Requests to refer the decision of CTC to the Appeal Panel must be made in writing to either the Town Clerk or Chair of the CTC within 10 working days of receipt of the decision letter.

An appeal hearing will be arranged within 20 working days. This decision is final and there is no further right of appeal. However, where all parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.

e. Recording of Complaints

For future reference and in the interest of continually improving CTC's service, also for the sake of transparency of CTC, when complaints have been dealt with, it will be recorded by the Town Clerk. The name of the complainant will be reported only if they have given their consent to be mentioned. The record should note the nature of the complaint, the reasons for the decisions made and what actions might be taken in the future (if any)

12. Harassment, Abuse, Bullying and Intimidation Policy

1. Introduction

Many people in society are victimised and harassed, abused, bullied and intimidated as a result of their race, creed, colour, nationality, sex, disability or gender re-assignment. This list is not exhaustive.

Harassment, abuse, bullying and intimidation can take many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, threatening behaviour and actual physical abuse. Whatever form it takes, harassment, abuse, bullying and intimidation is always serious and totally unacceptable.

CTC recognises that personal harassment, abuse, bullying and intimidation can exist in the workplace as well as outside and that this can seriously affect employees' working lives by interfering with their job performance, morale and reputation, or by creating a stressful, intimidating and unpleasant working environment.

CTC deplores all forms of personal harassment, abuse, bullying and intimidation deriving from whatever source and seeks to ensure that the working environment is sympathetic to all employees.

Procedures relating to how harassment, abuse, bullying and intimidation will be dealt with under the **Disciplinary Procedures** (in this Section 2 of the Handbook).

2. Examples of Harassment, Abuse, Bullying and Intimidation

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

Harassment, in general terms, is unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Harassment, abuse, bullying and intimidation can take many forms and members of staff or Councillors may not always realise that their behaviour constitutes harassment but it is defined simply as unwanted behaviour by one towards another. Examples of bullying/harassing behaviour include:

- Spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of age, race, sex, disability, sexual orientation, religion or belief)
- Copying correspondence that are critical about someone to others who do not need to know
- Insulting or aggressive behaviour

- Exclusion or victimisation
- Derogatory remarks, insensitive jokes or pranks, ridiculing or demeaning someone, setting them up to fail etc.
- Unfair treatment
- Overbearing supervision or other misuse of a power or position
- Unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities
- Knowingly undervaluing effort and achievement

3. Complaining

a. Informal Complaint

CTC recognises that complaints of harassment, abuse, bullying and intimidation can sometimes be of a sensitive nature and that it may not be appropriate to raise the issue through the normal grievance procedure. In these circumstances employees are encouraged to raise such issues with any senior member of staff.

If you are a victim of minor harassment, abuse, bullying and intimidation it should be made clear to the harasser, on an informal basis, that their behaviour is unwelcome and ask the harasser to stop. This may be done verbally or as a hand written request to the harasser or via the senior member of staff noted above, who can assist in the matter. Be firm, not aggressive. Be positive and calm. Stick to the facts. Be prepared to describe what happened even if it is embarrassing. Keep a diary of all incidents recording dates, times, any witnesses, personal feelings etc. Keep copies of anything that is relevant such as annual reports, letters, notes of any meetings, emails, medical advice etc. **You can report this behaviour in the Incident Reporting Form (Section 3 of this Handbook). The Town Clerk will also record this information to a central log which is confidential and kept in a locked cupboard.**

b. Formal Complaint

Where the informal approach fails or if the harassment, abuse, bullying or intimidation are more serious, the matter should be brought to the attention of the Town Clerk as a formal written complaint. The written complaint should include:

- The name of the alleged harasser, abuser or bully
- The nature of the alleged harassment, abuse, bullying and intimidation
- The dates and times when the alleged incident(s) occurred
- The names of any witnesses
- Any action already taken to try and stop the alleged incident(s)

On receipt of a formal complaint, CTC will take action to separate the two parties involved to enable an uninterrupted investigation to take place. This may involve a temporary transfer of duties or exceptional leave with full salary until the matter has been resolved.

The person dealing with the complaint will carry out a thorough investigation in accordance with CTC's disciplinary procedure. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

When the investigation has been concluded a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to the member of staff concerned and also to the alleged harasser/abuser/bully. Any dissatisfaction with the draft report or with the proposed decision should be raised with the investigator within 5 working days of receiving the draft. Any points of concern will be considered before the final report is written.

After the investigation, different ways of resolving the complaint, such as mediation or counselling might be considered. CTC may decide to take disciplinary action against the harasser/abuser/bully in accordance with the disciplinary procedure. Disciplinary action may also be taken against someone who makes an unfounded allegation of bullying or harassment. See the Grievance and Disciplinary policies for further information.

In any case concerning the Town Clerk, the matter must be referred to full Council, consequently the Chair of CTC's Staffing Committee is responsible for overseeing that the procedure is carried out appropriately.

c. **Legal Action**

If, despite all of the above, nothing is done to prevent the mistreatment, then advice on legal rights should be taken. Employees might be able to bring complaints under the following laws covering discrimination and harassment against the alleged harasser and CTC.

If a claim is made to an employment tribunal, the tribunal will expect both parties to have tried to resolve the problem internally. Resignation maybe the last resort but firstly ensure all other ways to resolve the situation have been addressed. To make a claim of constructive unfair dismissal, employees must be employed for 12 months.

There is no specific legal definition of bullying and harassment in UK law, however, it may fall under one of the various discrimination Acts as follows:

Sex – the Sex Discrimination Act 1975 (Amendment) Regulations 2008 gives protection against discrimination, harassment and victimisation on the grounds of sex, marriage, pregnancy, maternity leave or because someone intends to undergo, or is undergoing or has undergone gender reassignment;

Sexual Harassment – the Sex Discrimination Act 1975 (Amendment) Regulations 2008 also provides protection against unwanted verbal, non-verbal or physical conduct of a sexual nature which is offensive, humiliating or degrading. This covers "one-off" episodes as well as repeated behaviour;

Race – the Race Relations Act 1976 (Amendment) Regulations 2003 gives protection against discrimination and victimisation on the grounds of colour or nationality race and ethnic or national origin;

Disability - the Disability Discrimination Act 1995 and 2005 gives protection against disability discrimination, harassment and victimisation;

Sexual Orientation – The Employment Equality (Sexual Orientation) Regulations 2003 give protection against discrimination, harassment and victimisation on the grounds of sexual orientation (orientation is defined as “same sex” – lesbian/gay; “opposite sex” – heterosexual; “both sexes” – bisexual);

Religion or Belief – the Employment Equality (Religion or Belief) Regulations 2003 give protection against discrimination and harassment and victimisation on the grounds of religion or belief;

Age - the Employment Equality (Age) Regulations 2006 provide protection from discrimination and harassment in respect of age.

4. **Conciliation and Mediation**

Before resorting to formal procedures from the employee or from CTC, discussions between both parties should be entered into with the express purpose of resolving the matter through a process of mediation seeking conciliation. Where necessary CTC will seek the services of an independent third party to help the process reach a conclusion satisfactory to both parties in the dispute.

13.LGE Pensions Discretions Policy

Summary

This policy sets out Cornwall Council's policy in exercising its discretions under the Local Government Pension Scheme (LGPS) 2014.

The default position is that it will not make additional pension contributions. However, exceptionally, where it is in the financial interests of CTC to do so and there is a tangible and specific organisational benefit, the policy allows for the payment of discretionary benefits in cases of early retirement and the award of additional pension.

The policy also provides for early retirement on compassionate grounds in exceptional circumstances and flexible retirement where there is a benefit to CTC.

Policy details

Shared Cost Additional Voluntary Contributions (AVC) (Regulation 17)

AVCs allow any active employee to increase their main scheme benefits by making regular monthly payments direct from their salary to an insurance policy the pension fund currently holds with Standard Life. These payments accumulate and are payable in the form of a pension and lump sum along with the main LGPS benefits when the employee retires.

CTC's policy is not to contribute to an employee's AVC.

Early payment of Retirement Benefits – Waiving Actuarial Reduction (Regulation 30 (8))

Employees can retire from age 55 and receive immediate payment of their pension benefits providing they have at least two years' membership of the LGPS. Whilst the default position is that the pension benefits payable will be subject to an actuarial reduction, CTC may elect to waive any actuarial reduction for early retirement where a financial saving can be achieved within two years and there is a benefit to CTC or in accordance with item D below (early retirement on compassionate grounds).

CTC's policy is not to waive actuarial reduction.

Early Payment of Retirement Benefits between aged 55 and 60 – Transitional Provisions Regulations

Prior to the LGPS 2014 where an employee's age and length of service totalled 85 (known as the "85 Year Rule") they could retire with unreduced benefits with the consent of the employer. As the decision to retire early now rests entirely with the

employee, the LGPS 2014 Regulations automatically provide for the 85 Year Rule to be 'switched off' resulting in a reduction to all of the employee's benefits. This of course means there is no additional cost to the employer.

CTC will not 'switch on' the 85 Year Rule for early retirement

Early Retirement on Compassionate Grounds (Regulation 30 (5))

CTC may permit early retirement on compassionate grounds in exceptional circumstances. These circumstances might include extreme financial hardship or the need to give up work in order to provide constant care for an immediate family member.

CTC will exercise its discretion depending on the circumstances described above, subject to consultation with the Responsible Financial Officer regarding the budget from which any additional costs are to be met.

Flexible Retirement (Regulation 30 (6))

CTC permits flexible retirement only where there is a benefit to CTC (either financial or operational) and where an employee's reduced level of earnings together with his or her pension does not exceed his or her pre-retirement earnings.

CTC will not waive any actuarial reduction to an employee's pension benefits in these circumstances.

Increase of Pension by Employer (Regulation 31)

CTC permits the award of a discretionary additional amount of pension, as a result of an employee appraisal, for those employees who have reached the top of their salary scale.

CTC will exercise its discretion depending on the circumstances described above, subject to consultation with the Responsible Financial Officer regarding the budget from which any additional costs are to be met.

Transfer of Service into the LGPS (Regulation 100)

The Pensions Administration Manager is not authorised to extend the 12-month time limit for allowing active members to transfer benefits from previous pensionable employment into the Cornwall Pension Fund

14. Policy for Use of CTC Vehicle

Vehicle Registration: WL64 EFT
Citroen Relay 2.2HDI

Please also refer to the most current Zurich Insurance Policy.

1. Use of Vehicle

CTC recognises its responsibilities with regard to vehicle usage and requires all employees who are supplied with or operate a vehicle owned or provided by CTC for use to comply with the following:

- a. The vehicle is for business use and personal use only when authorised by the Town Clerk.
- b. The vehicle is only available to employees who hold a full current and valid driving licence.
- c. The vehicle shall be driven in a manner so that fuel economy, tyre life and engine wear are maximised. Careless or reckless use of vehicles shall result in disciplinary action. It is also the user's responsibility to ensure that it is kept in a clean and tidy condition and maintained in accordance with the manufacturer's recommendations.
- d. The vehicle driver shall be responsible for any prosecution, conviction and resultant fine whilst using the vehicle and shall notify the Town Clerk as soon as possible. Accidents must be reported to the police and the Town Clerk as soon as possible.
- e. Vehicle users must avoid the consumption of alcohol and non-prescribed drugs prior to or during the course of driving the vehicle. Infringement shall result in disciplinary action, which may result in dismissal.
- f. Any health changes affecting ability to operate the company vehicle must be notified to the Town Clerk immediately.
- g. Smoking is not permitted by vehicle users or passengers in owned or supplied vehicles.
- h. Consuming food and drink is also not permitted whilst driving.
- i. Vehicle fuel, oil etc shall only be purchased by the driver and reimbursed by CTC, and every effort should be made to obtain fuel from garages providing the most competitive rate at the time to reduce costs.
- j. Vehicles shall be locked and any security devices installed enabled when the vehicle is left unattended, without any CTC property being visible.
- k. Use of mobile phones & similar hand held electronic devices prohibited whilst driving.
- l. Seat belts must be worn at all times and vehicles used in accordance with The Highway Code.

2. Maintenance and Care of Vehicle

a. Insurance

The vehicle is insured with Zurich Insurance and is renewed in March. The Town Clerk is responsible for ensuring that the vehicle is insured and any renewal or change of policy is carried out in good time before the current insurance expires, ensuring value for money and optimum cover. In the event of an accident, see 1d above.

b. Servicing

The Town Clerk is responsible for ensuring and arranging for the vehicle to be serviced in a timely manner.

c. Maintenance

The vehicle should be kept clean inside and out at all times. The Grounds Manager is responsible for ensuring the vehicle is kept clean inside and out. Any costs associated with washing the vehicle should be reimbursed by CTC.

d. Inspections

The Grounds Manager to complete monthly checks of the vehicle using the checklist provided and will give regular reports to the Town Clerk regarding any maintenance issues.

3. Fees, taxes

- a. The Town Clerk is responsible for ensuring the vehicle is taxed and all fees associated with the vehicle are paid in a timely manner.

15. Volunteering Policy

1. Introduction

Volunteering is the commitment of time and energy for the benefit of society and the community: the environment of individuals outside one's immediate family. It is undertaken freely and by choice without concern for financial gain.

(CTC) believes in the value of voluntary activity as an important expression of citizenship and an essential component of a free and democratic society. It supports and promotes volunteering in voluntary, statutory and community organisations. CTC takes responsibility for ensuring that volunteers within its own organisation are appropriately involved, valued for their contribution and respected as colleagues.

In issuing this volunteer policy CTC wishes to:

- Formally acknowledge and support the role of volunteers in its work
- Set out the principles governing the involvement of volunteers and provide a set of guidelines to ensure good practice in working with volunteers
- Encourage and enable, rather than restrict, the involvement of volunteers.

This volunteer policy and accompanying guidelines are intended for use by CTC paid staff and volunteers.

2. Volunteer Policy Statement

a. CTC Equal Opportunities

As an employer and engager of volunteers CTC is committed to a policy of equal opportunities. This principle will apply to service delivery, recruitment, promotion, training, facilities, procedures and all terms and conditions.

Volunteers will be expected to adhere to CTC Equal Opportunities Policy (within this Handbook and a copy of which can be found on the website www.camelford-tc.gov.uk).

b. Recruitment & Selection

Recruitment of volunteers will be from all sections of the community and will be in line with CTC Equal Opportunities Policy. Appropriate targeting may be used.

c. Information & Training

Volunteers will receive full information about their chosen area of work and will be given a clear idea of their responsibilities to CTC.

Volunteers will be given induction and training in the specific tasks to be undertaken.

Volunteers will be consulted in decisions which affect them.

d. Support & Supervision

Volunteers will be assigned a named contact person for supervision and support.

e. Problem-Solving

CTC recognises that problems do arise and we aim to identify and resolve these problems at the earliest stage. Volunteers who have a problem of any kind should discuss it in the first instance with their named contact person.

f. Confidentiality

Volunteers will be bound by the same confidentiality conditions as CTC paid staff.

g. Expenses & Insurance

CTC will ensure that there is a clear and accessible system to enable volunteers to claim out of pocket expenses. Volunteers will be adequately covered by insurance while carrying out agreed duties.

h. Health and Safety

All volunteers are covered by the same health and safety policies and provisions as staff.

i. Relations with Paid Staff

CTC is committed to ensuring that volunteers work complements the work of paid staff, and that it will not be used as a substitute for paid work.

Steps will be taken to ensure that staff at all levels are clear about the roles of volunteers and to foster good working relationships between staff and volunteers.

CTC recognises the need for training for all those working alongside and managing volunteers.

j. Costs

CTC will endeavour to identify and cover the costs of involving volunteers and recognises the value of designated responsibilities within specific posts for the management of volunteers.

k. References

On the basis of their voluntary work, volunteers will have the right to request a reference.

l. Monitoring & Evaluation

CTC will systemically monitor and evaluate its involvement of volunteers with reference to this Volunteer Policy.

m. Review

CTC commits itself to review the policy as and when changes in legislation or other factors make this necessary. The policy will be subject to a comprehensive review two years after its introduction.

3. Guidelines for Involving Volunteers

These guidelines are intended for use along with the policy statement. They give further detail on recommended good practice in the involvement of volunteers within CTC

a. Preparation

Prior to recruiting volunteers, full consultation and discussion should take place with users of the service and paid staff to satisfy that there is a genuine need for volunteers and to develop a clear description of their role. A contact person within the section proposing to involve volunteers should be identified and the staff time and expenses to train, support and reimburse volunteers determined.

b. Recruitment

CTC's Equal Opportunities Policy prevents discrimination particularly on the grounds of gender, marital status, disability, race, colour, religious belief, political belief, sexuality, nationality, ethnic origin, age, trade union activity, responsibility for dependents or employment status. (See Policy for details).

In order to reach a wide section of the community, recruitment should be by a variety of means (social media, noticeboards, website and library).

Positive action in recruitment may be used for specific voluntary tasks. For example, specific work with minority ethnic groups.

c. Initial Contact

People interested in becoming volunteers with CTC should be invited for an informal talk with the appropriate contact person. They should:

- Be given written information to take away
- Have their role explained and how it fits in with CTC's overall aims and ethos
- Have the next stages of becoming a volunteer with CTC outlined

If the volunteer wishes to proceed with the application at this stage, the contact person should fill out the application form for the volunteer (getting referees' details) and ask the volunteer to sign.

If the volunteer is undecided, agree the next step e.g. for the contact person to phone the potential volunteer in a week's time.

d. Selection

All volunteers should complete an application form. Two written references will be required. If the volunteer is to carry out specialised work (e.g. IT support) at least one reference should relate directly to this.

If volunteers may be working with vulnerable people, or in positions of trust, they will be subject to an enhanced DBS check.

All information should be dealt with in the strictest confidence and should not necessarily prejudice the person being accepted for voluntary work.

e. Records

Minimum details should be kept on volunteers. This will include the application form, references, placement details, relevant information regarding the person's health, correspondence and any other relevant information such as emergency contact details.

Record keeping must be secure but accessible to other members of staff if you are absent.

GDPR 2018 enables people to access information held about them.

f. Induction

Induction sessions should be provided for all new volunteers and should cover:

- Role of volunteers
- Responsibilities of volunteers
- Arrangements for training, support and supervision
- Contact person
- Need for confidentiality
- Aims/objectives etc
- System for payment of expenses
- Problem-solving procedures
- Background to CTC
- Building orientation
- Health and Safety
- Meeting staff

g. Expectations of Volunteers

CTC should expect volunteers to:

- Participate in induction sessions
- Comply with existing policies and procedures
- Undertake voluntary work at agreed times
- Inform relevant staff if unable to attend
- Give some notice if unable to continue volunteering
- Raise any issues of concern relating to their voluntary work with the contact person.

- Agree with the aims and objectives of CTC.

h. Placement

Once a suitable voluntary placement has been identified details about the frequency and length of commitment and nature of the voluntary activity should be determined and an established trial period agreed.

CTC reserves the right to ask volunteers to leave and will give reasons in writing if requested.

i. Support, Supervision and Problem-Solving

Regular support/supervision should be available to each volunteer. The type and level of support will depend on the needs of the volunteer and the nature of their role. Full information on this will be provided during induction.

Each volunteer should have a clearly identified supervisor who is responsible for the day to day management and guidance of the volunteer and who will be able to offer advice, support and feedback on a regular basis.

If a complaint about a volunteer arises, refer to the Grievance Procedure (in Section of the Handbook).

j. Expenses

The procedures for claiming expenses should be clear and accessible. All agreed out of pocket expenses should be reimbursed on production of receipts and completion of the Expenses/Mileage form (in Section 3 of this Handbook).

k. Insurance

It should be ensured that volunteers have appropriate insurance cover in terms of employers and public liability.

16. Lone Working Policy

1. Introduction

The purpose of this policy is to describe the measures that CTC considers necessary to manage the risk present when employees are required to work alone.

2. Definition

Lone Working includes employees working alone in the Town Hall/Library and those whose duties involve working outside where there is no close, frequent or regular contact with other colleagues.

CTC considers lone working as a high risk activity and will strive to minimise such working instances. CTC will, so far as is reasonably practicable, ensure that employees who are required to work alone are protected from risks to their health, safety and welfare. Any risks to employees should be identified in discussion beforehand with their Line Manager and assessed, and where appropriate, maintain control measures to reduce the risk to an acceptable level. When assessing lone working it is important to consider:

- The work activity
- The location and environment
- Persons with whom employees may come into contact
- Equipment that may be used
- Worse case foreseeable scenarios

3. Responsibilities Line Managers' Duties

- The Line Manager will complete a risk assessment of the activity, location, and equipment and ensure appropriate procedures are prepared and communicated to the employee.
- Monitoring the effectiveness of the control measures.
- Maintaining lists of up to date contact details

Line Managers must also ensure employees that are Lone Workers:

- Are not deployed in situations where violence or aggression is reasonably foreseeable without appropriate control measures being in place.
- Have been assessed, taking into account their capabilities and health condition.
- Are competent through experience and by receiving adequate information and training about safe working practices and have access to the appropriate equipment and supervision.
- Have suitable systems for them to report incidents or raising concerns.

4. Employees' Duties

- All employees have a responsibility to take care of their own safety and comply and cooperate with CTC's health and safety procedures.
- Employees should not knowingly place themselves in situations which expose them to additional risk by working alone.
- Employees should ensure their whereabouts are known to their Line Manager / colleagues before they leave their work place and undertake lone working.
- Employees should carry out their own 'Personal Assessment' before undertaking lone working. If they feel something is wrong, they should not commence the task, and report their concerns to their Line Manager.
- If an employee thinks they have any medical conditions which may make them unsuitable for lone working they should inform their Line Manager.
- Employees should ensure they are carrying a mobile phone and radio, and their contact details are kept up to date and known by their Line Manager. The Grounds Manager is also provided with a body worn video (BWV) device.

5. Risk Assessment

The risk assessment process will be undertaken as a joint exercise by both the lone worker and their Line Manager and that the agreed safe working procedures are recorded and communicated to all employees who may be required to work alone and any other employees who have a role in ensuring their safety.

6. Monitoring and Review

Lone working arrangements need to be subject to a monitoring regime commensurate with the risk, by their Line Manager. Risk assessments should be reviewed if any significant changes take place following an accident/incident or following any concerns being raised by the employee or Line Manager.

17. Whistleblowing Policy

(Making a Disclosure in the Public Interest)
Adopted 16 June 2020

1. Introduction

Camelford Town Council (CTC) is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff/councillors of CTC to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within CTC then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. CTC has endorsed the provisions set out below to ensure that no members of staff/councillors should feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by CTC nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures.

2. Scope of Policy

This policy is designed to enable employees/councillors of CTC to raise concerns internally and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

3. Safeguards

- a) **Protection** - this policy is designed to offer protection to those employees/councillors of CTC who disclose such concerns provided the disclosure is made:
- in good faith
 - in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case, malicious or wild allegations could give rise to legal action on the part of the persons complained about.
- b) **Confidentiality** - CTC will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.
- c) **Anonymous Allegations** - this policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of CTC. In exercising this discretion, the factors to be taken into account will include:
- The seriousness of the issues raised
 - The credibility of the concern
 - The likelihood of confirming the allegation from attributable sources
- d) **Untrue Allegations** - If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

4. Procedures for Making a Disclosure

On receipt of a complaint of malpractice, the member of staff who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of malpractice will be investigated by the Town Clerk unless the complaint is against the Town Clerk or is in any way related to the actions of the Town Clerk. In such cases, the complaint should be passed to the Chair of the Staffing Committee for referral. **Councillors and Staff should use the Incident**

Reporting Form (see Section 3 of this Handbook) to report any inappropriate behaviour between Councillors and Staff, between Councillors, or between staff members. The Town Clerk will update a central Incident Log with the details which will be confidential and kept in a locked cupboard.

If there is evidence of criminal activity then the investigating officer should inform the police. CTC will ensure that any internal investigation does not hinder a formal police investigation.

5. Timescales

Due to the varied nature of these sorts of complaints, which may involve internal/external investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their home address marked "confidential".

6. Investigating Procedure

The investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- The investigating officer should inform the member of staff/councillor against whom the complaint is made as soon as is practically possible. The member of staff/councillor will be informed of their right to be accompanied by a trade union or work colleague at any future interview or hearing held under the provision of these procedures. At the discretion of the investigating officer and dependant on the circumstances of the complaint an alternative representative may be allowed e.g. the individual's legal representative.
- The investigating officer should consider the involvement of Cornwall Council and the Police at this stage and should consult with the Chair if appropriate
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals/bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Town Clerk or Chair as appropriate.
- The Town Clerk and/or Chair will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary procedures.

- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be used to enable a review of CTC procedures.

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chair.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, CTC recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons or body (e.g. the Health and Safety Executive). A full list of prescribed people and bodies can be found on the Government Website (www.gov.uk).

18. Internet and Email Policy

1. Purpose

The purpose of this policy is to ensure the proper use of CTC's internet and email system and make users aware of what CTC deems acceptable and unacceptable use of its internet and email system. CTC reserves the right to amend this policy at its discretion – users will be informed if and when amendments are made.

2. Requirements for use The following rules **MUST** be adhered to by all users within CTC. It is prohibited to:

- a. Send or forward emails containing libellous, defamatory, offensive, racist or obscene remarks. If employees receive an email of this sort, they must notify their Line Manager who will pass this to the Town Clerk if appropriate.
- b. Forward a sensitive or controversial message without acquiring permission from the sender first.
- c. Forge or attempt to forge email messages.
- d. Disguise or attempt to disguise the employee's identity when sending mail.
- e. Send email messages using another person's email address without permission.
- f. Copy a confidential message or attachment belonging to another user without permission of the originator.

3. Downloading and Importing Files and Software

Employees must download files only onto those PCs with virus checking software and should check how long downloads will take. If in doubt, employees should check with their Line Manager. Employees must exercise extreme care when receiving emails with attachments from third parties – particularly unidentified third parties – as these may contain viruses. Data from memory sticks, CDs, and other external devices must only be viewed on PCs with appropriate virus checking software. If in any doubt about whether it is safe and permissible to use these devices, employees should ask their line manager.

4. System Monitoring

Users expressly waive any right of privacy in anything they create, store, send or receive on CTC's computer system. CTC can, but is not obliged to, monitor emails without prior notification. The organisation considers the following to be examples of valid reasons for checking an employee's emails:

- a. If an employee is absent for any reason and communications must be checked for the smooth running of the business to continue;
- b. If CTC suspects that an employee has been viewing or sending offensive or illegal material;
- c. If CTC suspects that an employee has been using the email system to send/receive an excessive number of personal communications; or

- d. If CTC suspects that an employee is sending or receiving emails that are detrimental to CTC. If there is evidence that you are not adhering to the guidelines set out in this policy, CTC reserves the right to take appropriate disciplinary/legal action, which could result in termination of employment.

5. Electronic Signature and Disclaimer

Employees must ensure that their electronic signature is set up in the following format to appear on outgoing emails:

Name

Job Title

Telephone number

Details of working hours (if part-time)

6. Personal use of Internet and email

Because CTC has access to broadband technology, usage is at a flat rate regardless of numbers of emails sent or minutes online. As a result, the organisation permits employees to use their PCs to access the internet and send/receive email for personal/developmental use where necessary. Employees wishing to use internet/email access for personal/developmental are deemed to have agreed to the following terms and conditions:

- a. This permission only applies to times OUTSIDE recorded working hours.
- b. Personal emails should be clearly marked as such in the subject line.
- c. Unless employees have specific prior permission from the Town Clerk, they should not give their work email address as one of their contact details for regular extra-curricular/social/voluntary commitments outside work.
- d. Do NOT use a work email address for any non-work communication if there is any possibility that the recipient will be influenced (either positively or negatively) by receiving a communication from a staff member of CTC.
- e. To avoid cluttering the system with unwanted adverts or other material, please do not sign up for personal direct mail using a work email address. For example, if employees have used the internet (in their own time) to buy goods or services, and are invited to subscribe to 'news of other products' please click 'no' or provide a home email address as the point of contact.
- f. When sending personal emails, employees should show the same care as when sending work-related emails.
- g. Jokes or humorous articles are often received from individuals outside the organisation. Users must consider whether anyone is likely to take offence if you pass material on. Passing on offensive material via the work system is a disciplinary matter and may result in legal action or termination of employment. If any doubt, don't do it! Abuse of this permission will be regarded as a disciplinary offence and will be subject to action laid out in the policies on code of conduct and elsewhere. Abuse of Internet/email access could include, but is not limited to:
 - h. Accessing inappropriate web sites;
 - i. Downloading or distributing obscene, offensive, or indecent material;

- ii. Using language or behaviour likely to bring CTC into disrepute;
- iii. Using CTC's official role/status for personal gain;
- iv. Using CTC's role/status to support a specific political or issue-based campaign;
- v. Using the equipment to contribute to fraud; and
- vi. Using or passing on privileged or confidential information. The personal use of email or Internet access must be completely in accordance with the range of provisions in the current Code of Conduct.

7. Legal Risks

Email is a business communication tool and users are obliged to use this tool in a responsible, effective and lawful manner. While email seems to be less formal than other written communication, the same laws and guidelines apply. Users should be aware of the legal risks of email:

If employees send or forward emails with any libellous, defamatory, offensive, racist or obscene remarks, both employee and CTC can be held liable. In addition, it may be considered to have been an infringement of the disciplinary procedure.

If employees unlawfully forward confidential information, the employee and CTC can be held liable.

If employees unlawfully forward or copy messages without permission, the employee and CTC can be held liable for copyright infringement.

If the employee knowingly send an attachment that contains a virus, the employee and CTC can be held liable. Please follow the guidelines in this policy to minimise the legal risks to employees and CTC. If any user disregards the rules set out in this policy, the user will be fully liable and CTC will disassociate itself from the user as far as legally possible.

8. Queries

If an employee has any queries about this email policy, please contact the Town Clerk. If they do not have any questions, CTC assumes that the employee understand and accept the rules and guidelines in this policy and will adhere to them.

USE OF INTERNET AND EMAIL

The organisation permits staff to use their terminals to access the Internet and send/receive email for personal/developmental use where necessary. Staff wishing to use internet/email access for personal/developmental reasons must agree to the following:

- a. This permission only applies to times OUTSIDE recorded working hours.
- b. The use of both Internet access and email usage will continue to be subject to the monitoring regime currently in place for work-related traffic.
- c. Abuse of this permission will be regarded as a disciplinary offence and will be subject to action laid out in the policies on code of conduct and elsewhere.

Abuse of Internet/email access could include but is not exclusively:

- a. Downloading or distributing obscene, offensive or indecent material
- b. Using language or behaviour likely to bring CTC into disrepute
- c. Using the official role/status of CTC for personal gain
- d. Using the official role/status of CTC to support a specific political or issue-based campaign
- e. Using the equipment to contribute to fraud
- f. Using or passing on privileged or confidential information

The personal use of email or Internet access must be completely in accordance with the range of provisions in the current Code of Conduct. I have read and understood CTC's policy on the use of Internet and email and recognise that to misuse it would be regarded as a disciplinary offence, potentially gross misconduct. I am content to abide by this policy.

Signed: Print name
.....

Date:

General Information

Freedom of Information and Data Protection

The Freedom of Information Act 2000 gives people the right to obtain information held by public authorities unless there are good reasons to keep it confidential. As a result of the Publication Scheme Development and Maintenance Initiative, the Information Commissioner's Office (ICO) introduced a model publication scheme that all public sector organisations must have adopted from 1 January 2009. CTC has adopted the model publication scheme and this can be found on the website www.camelford-tc.gov.uk.

Councils must produce a guide to the specific information they hold and ensure that the information can be easily identified and accessed by the general public. Some exemptions do apply.

CTC is also bound by the General Data Protection Rules 2019 in all its dealings. These Rules require anyone who handles personal information to comply with a number of important principles. It also gives individuals rights over their personal information.

The ICO has legal powers to ensure that organisations comply with the requirements of GDPR and the Freedom of Information Act 2000.

CTC Property

Use of CTC property for a purpose other than normal duties is not permitted. No property is to be taken away from CTC premises without prior explicit permission. Any damage to the property, equipment or premises must be notified to the Town Clerk immediately.

Health, Safety and Welfare

CTC recognises and accepts its responsibility as an employer for providing a safe and healthy working and operating environment and for taking all due care to protect the safety of its employees and members of the public who use its facilities.

All employees and Councillors are reminded of their duty to take reasonable care of themselves and others who may be affected by their acts or omissions, and to ensure compliance with the statutory duties placed on them.

For further information, refer to CTC's Health and Safety Policy.

Business Continuity Planning (BCP)

Business Continuity Planning is sometimes also known as Disaster Recovery Planning. BCP is the creation and validation of a practiced logistical plan for how CTC will remain operational during and after a disaster, emergency or extended disruption. Disaster incidents include local incidents like building fires, criminal activity, or serious ICT system failure, regional incidents include floods, earthquakes and national incidents such as pandemic illnesses.

CTC takes its obligations and services very seriously, and in this respect had identified its key risks, undertaken risk analysis and planned steps to minimise the potential impact of a disaster, and ideally prevent it happening in the first place. CTC also has a Community Emergency Plan (CEP), which was developed between key organisations and individuals in the community and Cornwall Council. The CEP is available on the website www.camelford-tc.gov.uk

Further information and useful contact details

Further information on any matters contained in this Staff Handbook can be found under www.direct.gov.uk

Other useful contacts include:

Esther Greig, Town Clerk, Camelford Town Council

Telephone: 01840 212880

Email: clerk@camelford-tc.gov.uk

Also refer to the CTC website: www.camelford-tc.gov.uk

Advisory, Conciliation and Arbitration Service (ACAS)

The ACAS helpline is the place to go for both employers and employees who are involved in an employment dispute or are seeking information on employment rights and rules. The helpline provides clear, confidential, independent and impartial advice to assist the caller in resolving issues in the workplace.

Tel: Monday – Friday 8am to 8pm and Saturday 9am – 1pm – 08457 474747

Website: www.acas.org.uk

Health & Safety Executive (HSE)

Tel: 0845 345 0055

Website: www.hse.gov.uk

SECTION 3 – FORMS

1. Example Timesheet

Camelford Town Council



Timesheet for Week Ending: _____

Name/Signature: _____

Day	Work Description	Start	Finish	Hours
Monday				
Tuesday				
Wednesday				
Thursday				
Friday				
Saturday				
Sunday				

Total Hours

2. Employee Information Form

Employee Information Form

Employee's Personal Information

Date of start of employment: _____

Employee name: _____

Address: _____

Home phone: _____

Mobile phone: _____

Email address: _____

NI Number: _____

Date of Birth: _____

Emergency Contact Information

Name: _____

Home phone: _____

Mobile phone: _____

Relationship to employee: _____

Do you have any allergies? _____

Do you have any medical conditions? _____

Bank Name: _____

Sort Code: _____

Account No: _____

3. Expenses/Mileage Form



MILEAGE AND EXPENSES CLAIM FORM

MILEAGE (@ .45 per mile)

Person claiming:

Details of Journey				
Date	From	To	Number of miles	Reason for journey
		Total No of Miles		
		Total Claim	£	

EXPENSES

Item detail	Cost
Total cost of expenses	£

GRAND TOTAL (total claim of mileage and total cost of expenses) £.....

Claimant signature Date

Town Clerk signature Date

4. Appraisal Form

RESKAMMEL



CAMELFORD TOWN COUNCIL

Town Clerk: Esther Greig
Town Hall
Market Place
Camelford
Cornwall
PL32 9PD

01840 212880

clerk@camelford-tc.gov.uk

www.camelford-tc.gov.uk

Date

Name

Role and Function

Achievements (considering job description) in 2021-22

Areas for Improvement

How can this be improved

Goals for 2021-22

5. Incident Reporting Form

INCIDENT REPORTING FORM

Please use this form if any of the following apply. It is important that your report is logged with the Clerk or Chair of the Staffing Committee as soon as possible after the incident. Please tick the box that closely relates to the incident:

1.	You have been asked to carry out work directly from a Councillor and not your line manager (Staff only).	
2.	You have been involved in an incident with a member of the public. (Councillors and Staff).	
3.	<p>You have been involved in an incident:</p> <ul style="list-style-type: none"> a) Councillor with another Councillor b) Councillor with a member of Staff c) Member of Staff with a Councillor d) Member of Staff with another member of Staff 	

Date and time of incident:	
Details of incident:	

Signed: Date:

6. Incident Log Form (Kept up to date by Town Clerk)

INCIDENT LOG FORM
(Information to be taken from Incident Reporting Form)

Date and time of incident	Names of persons involved	Detail of incident	Action Taken	Incident Resolved Y/N	Any further information

7. Statement of Employee

CAMELFORD TOWN COUNCIL – EMPLOYEE HANDBOOK

STATEMENT OF EMPLOYEE

I have read the Employee Handbook issued to me on _____ (insert date) and understand and accept its content as forming part of my Contract of Employment.

I will keep myself informed of its contents and similarly the contents of all other CTC policies.

Name of employee: _____

Employee's signature: _____

Date: _____