

# Haywards Heath Town Council



## HAYWARDS HEATH TOWN COUNCIL

### Staff Handbook

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## **Introduction**

### **Welcome to Haywards Heath Town Council's**

#### **Staff Handbook**

The aim in producing this document was to create a one-stop information point where you would be able to access all the information you are likely to need in relation to your employment with the Town Council. The Handbook and corresponding policy documents form part of your contract of employment with Haywards Heath Town Council

The document gives an overview of the terms and conditions of your employment, and outlines what you can expect from us as your employer.

I hope you find this a useful guide during your employment with us. However if you are unable to find the answer to your question here, please feel free to speak with the Town Clerk.

## **Contents:**

Clause		Page
1	Haywards Heath Town Council an Overview	4
2	Your Induction	6
3	Statement of Employment Terms and Conditions	6
4	Probation Period	7
5	Your Attendance at Work	7
6	Hours of Work	7
7	Flexible Working	8
8	Criminal Records Checks	8
9	Conflict of Interest	8
10	Standards of Performance and Behaviour at Work	9
11	Data Protection and Access to Information	12
12	Changes in Personal Information for Employment Purposes	12
13	Trade Union Membership	13
14	Valuing Diversity	13
15	Dignity at Work	14
16	Pay Benefits and Pensions	15
16.2	Overtime	16
16.3	Income Tax	16
16.4	Business Travel	16
17	Sickness Pay Provision	16
18	Pension Scheme	17
19	Leave Arrangements	17
20	Health and Safety	18
21	Training and Development	21
22	Leaving Haywards Heath Town Council	21

## **Confirmation of Receipt of Handbook Form.....23**

**Appendix 1:** Maternity and Paternity Leave Policy

**Appendix 2:** Grievance Procedure

**Appendix 3:** Disciplinary Procedure

**Appendix 4:** Health and Safety Documentation

**Appendix 5:** Whistleblowing Policy

**Appendix 6:** Adverse Weather and travel disruption Policy

**Appendix 7:** Internet and Email Policy

## **1. Haywards Heath Town Council – An Overview**

The Town Council is the parish authority for the Town of Haywards Heath, which has a population of approximately 27,000. The Council provides a wide range of facilities and services and also supports the interests of the town in its representations to other bodies. It works in partnership with the District and County Councils as well as other agencies and groups.

The Council comprises sixteen Members who represent five wards, with elections held every four years. Each year, the Council elects from amongst its number a Town Mayor, who is Chairman of the Council, a Deputy Mayor and a Leader of the Council. The Council holds regular meetings to discuss and determine policy and make comment on consultations being made by statutory bodies and third sector organisations.

The Council meets approximately every six weeks and is serviced by three standing committees. These are Policy and Finance (P&F) and Environment and General Purposes (E&GP), which meet approximately every six weeks. The Council's Planning Committee meets every three weeks.

All Council and committee agendas are available to the public three days prior to the meeting date. Members of the public/groups and organisations are welcome to attend any meeting of the Council and speak on matters relating to the evenings agenda. Meetings are held in the Council Chamber at the Town Hall. Extraordinary meetings can be called at short notice, in agreement with the Chair of the committee, to consider urgent items that need the Council's immediate attention. On occasion the business being conducted may be considered to be confidential, members of the public and the press are only asked to leave the Council Chamber, when these items are discussed, these may relate the condition of employment of members of staff etc. A calendar of meetings is available on the Council's website [www.haywardsheath.gov.uk](http://www.haywardsheath.gov.uk) or on request at the Town Hall. Details of agendas and minutes are also available from the website.

To consider specific projects, the Council may form working parties or advisory groups. At this time there are three groups tasked with working on issues affecting the town from third party organisations, namely:

- South and South East in Bloom Committee, which is administered by the Town Council and brings together interested individuals and groups to develop the Town's yearly entry into the competition.
- Bolnore Working Group, which works with Bolnore Village Residents Association to consider issues relating to the development of community facilities in the village. The group also leads on the development of projects/activities which aim to develop the village's links with the Town and foster community cohesion.
- Local Planning Working Group is forged with being the first port of call for issues relating to housing development and associated infrastructure for the Town along with issues relating to the Town Centre and Station Quarter. The Group will consider issues at an early stage and report with recommendation to the Council's Planning Committee.

- Haywards Heath Town CIC is a subsidiary company owned by the Town which delivers highways services on behalf of West Sussex County Council for the Town and the villages of Lindfield, Lindfield Rural and Ardingly.

The Council also has three working groups including:

- Chairman's Working Group, which focuses on the management of the committee process and protocol.
- A Staff Working Party, which considers staff terms and conditions and any documentation directly relating to employment matters.
- The Council's Editorial Working group meets to review the quarterly newsletter, website and other issues relating to the Council's public relations.

The Council employs fourteen members of staff, seven based at the Town Hall (three full time, two part time and a cleaner and caretaker both part time) and seven groundsman/highways operatives who are based at a depot just outside of the Town and work within the Town on a daily basis. The chief officer of the Council is the Town Clerk.

The Town Council is also affiliated to a number of bodies including the National Association of Local Councils, Sussex Association of Local Councils, Mid Sussex Association of Local Councils and Mid Sussex Association of Town Councils, which meets to discuss matters of common interest.

The Council Tax paid by Haywards Heath residents includes the spending requirements of West Sussex County, Mid Sussex District, Haywards Heath Town Council and Sussex Police. The District Council is the charging authority responsible for collecting the Council Tax for all the above authorities.

Haywards Heath Town Council does not receive an annual grant from the Government to assist with the cost of administration. Nor does it receive any funding from local businesses and retailers through the Non-Domestic Rate.

Each year the Town Council calculates the money it needs to raise to provide its services and meet any service liabilities, such as loans or fixed overheads. From this figure the Council deducts income received from fees and charges, e.g. allotment rents and room hire, to leave the amount required to spend on the services provided in the year ahead. This sum, called the 'precept', is the amount the District Council collects on behalf of the Town Council and pays in two instalments.

## **2. Your induction**

The Town Clerk will give you a formal induction to the operations of the Town Council.

The Council's aim is to support and develop employees in their role so that they feel confident to undertake the responsibilities placed upon them and ultimately are able to contribute to the success of the organisation.

Induction will be spread over your first few months in post, and is generally planned on a first day, first week and first month basis. The content and duration of the induction programme will be dependent on the scope and complexity of your job, and the Town Clerk will outline this in detail to you within the first week of employment.

## **3. Statement of Employment Terms and Conditions**

As an employee of the Town Council you will have received a document setting out specific terms and conditions of service as they relate to your post. This includes details of:

- the names of the employer and the employee;
- the date when the employment (and the period of continuous employment) began;
- remuneration and the intervals at which it is to be paid;
- hours of work;
- holiday entitlement;
- entitlement to sick leave, including any entitlement to sick pay;
- pensions and pension schemes;
- the entitlement of employer and employee to notice of termination;
- job title (or a brief job description);
- where it is not permanent, the period for which the employment is expected to continue or, if it is for a fixed term, the date when it is to end.
- either the place of work or, if required to work in more than one location, an indication of this and of the employers address.

Further detailed policies and procedures which may not be mentioned as part of this document, but which still form part of your conditions of employment with us can be accessed through the Clerk. This handbook also summarises the main terms of your employment.

Haywards Heath Town Council reserves the right to change its terms and conditions and employment policies from time to time. You will be notified at the earliest opportunity of these changes by way of general notice to all employees affected by the change. Where a contractual change in your terms and conditions of employment results in a change to your written statement of particulars of employment, we will give you a written statement of the change at the earliest opportunity.

#### **4. Probation Periods**

All new staff are subject to a probationary period of 3 months. An initial informal review will take place after 3 months with the Town Clerk. Your appointment will be confirmed on satisfactory completion of the 3 month period. During this probationary period you will be given appropriate support and development opportunity to help you reach the required standards. Extension of the probationary period may be granted to enable the required standards to be achieved, but failure to do so could result in termination of your employment.

#### **5. Your Attendance at Work**

Haywards Heath Town Council values good attendance at work and is committed to improving the general wellbeing of its employees to achieve this. Although we aim to secure regular attendance, we do not expect employees to attend when they are unwell.

##### **a. Notification of Absence**

The Town Clerk or Deputy Town Clerk should be notified as early as possible if absence from work is anticipated for hospitalisation and other medical treatment.

If you are unable to attend work due to sickness or injury, the Town Clerk must be notified by telephone before your normal start time or as soon thereafter as possible on the first day of absence, if possible indicating a date of return. Notification should be made by you personally unless impossible due to the nature of the illness where you should arrange for someone else to call on your behalf. During prolonged periods of absence, your manager should be kept informed of progress and an expected date of return.

Any employee who has been absent due to sickness and is found not to have been genuinely ill will be subject to disciplinary action, in accordance with the disciplinary procedure at appendix 3, which could include dismissal.

##### **b. Sickness Payments**

Payment of Occupational Sick Pay will be made on a sliding scale depending on length of service and sickness period as stated in your contract of employment, and further detailed at clause 17 of this handbook. From your first day of absence you will be required to complete a self-certification form available through the Clerk or Deputy Town Clerk; if greater than 7 days you will require a statement of Fitness for Work from your G.P.

#### **6. Hours of Work**

Your normal hours and working pattern will be specified in your Statement of Terms and Conditions of Employment.

The full-time contracted hours for all posts within the organisation are 37 hours per week excluding daily meal breaks. A daily unpaid lunch break of a minimum of 30 minutes must be taken if you work more than six hours daily.

Haywards Heath Town Council reserves the right to vary your hours and pattern of working, following consultation and agreement with you.

Persistent poor timekeeping means that colleagues are put under pressure to cover your duties. This is not acceptable and will therefore be treated as a potential disciplinary offence under our disciplinary procedures as set out in appendix 3.

### ***7. Flexible Working***

Haywards Heath Town Council tries where possible to assist staff to balance their work and home life, and is therefore willing to consider requests from staff to vary their working hours or work pattern. Such requests will be considered taking into account the impact on the organisation, work colleagues and any other relevant factors. Should you wish to discuss this you should speak to the Town Clerk.

Staff with children under the age of six, or under eighteen if the child receives Disability Living Allowance, and any employee with 26 weeks continuous service have a statutory right to request flexible working and the organisation has a duty to seriously consider this request.

### ***8. Criminal Records Checks***

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

### ***9. Conflict of Interest***

You should not, directly or indirectly, engage in, or have any interest, financial or otherwise, in any other business enterprise which interferes or is likely to interfere with your independent exercise of judgement in Haywards Heath Town Council's best interest.

Generally a conflict of interests exists when an employee is involved in an activity:

- Which provides products or services directly to, or purchase products or services from Haywards Heath Town Council
- Which subjects the employee to unreasonable time demands that prevent the employee from devoting proper attention to his or her responsibilities to Haywards Heath Town Council
- Which is so operated that the employee's involvement with the outside business activity will reflect adversely on Haywards Heath Town Council

Should you be in doubt as to whether an activity involves a conflict, you should discuss the situation with your manager.

## ***10. Standards of Performance and Behaviour at Work***

### *10.1 Appearance*

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

**\*\*If we have supplied you with a uniform of other apparel, then you must wear this at all times when required to do so; it is your responsibility to ensure that this is clean and presentable. You must ensure your dress and grooming standards reflect the values of your employer.**

If you have any queries about what is appropriate, these should be directed to the Town Clerk.

### *10.2 Haywards Heath Town Council Premises*

You will be issued with an identity badge. This remains the property of Haywards Heath Town Council loss of your badge must be reported immediately to the Town Clerk.

You must not bring any unauthorised person on to the Town Hall without prior agreement from the Town Clerk, unless you are authorised to do so as part of your job. In these circumstances you are responsible for ensuring that your visitors are appropriately monitored during their stay, and that they do not access areas or Town Council property inappropriately.

**\*\*You must not remove Haywards Heath Town Council property from the organisation's premises unless prior authority from the Town Clerk or Deputy Town Clerk.**

### *10.3 Personal Property*

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

### *10.4 Telephones & Correspondence*

Company telephone / mobile phone or postal facilities must not be used for private purposes without prior permission from the Clerk or Deputy Town Clerk. If, for any reason, personal use is made of these items then arrangements must be made to

pay the cost price of all services used. Abuse of these facilities will be considered a potential disciplinary matter.

### *10.5 Smoking and Other Substances at Work*

Legislation now exist which makes it illegal to smoke in enclosed public spaces. Smoking is therefore strictly prohibited on all Haywards Heath Town Council premises and in vehicles.

Outside areas have been identified for those who wish to smoke during their break-time. Should you wish to avail yourself of these facilities, please speak to the Clerk.

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

### *10.6 Confidentiality*

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

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

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

### *10.7 Computer, email and Internet use*

If you have access to the Company's computers including email and access to the internet as part of your job, you must not abuse this by using these facilities for purposes unrelated to Council business.

Limited personal use of the internet is permitted during your formal breaks. All internet use will be monitored and accessing pornographic or other unsuitable material, including auction or certain social networking sites is strictly prohibited and would be considered a serious disciplinary offence which may result in dismissal.

Only software packages properly authorised and installed by the Company may be used on Company equipment, you must therefore not load any unauthorised software onto Company computers.

If you have a Company email address, this is provided for responsible use on Company business and should not be used in any other way whatsoever.

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

### *10.8 Receipt of Gifts*

Your working relationships may bring you into contact with outside organisations where it is normal business practice or social convention to offer hospitality, and sometimes gifts. Offers of this kind to you or your family can place you in a difficult position. Therefore no employee or any member of his or her immediate family should accept from a supplier, customer or other person doing business with Haywards Heath Town Council, payments of money under any circumstances, or special considerations, such as discounts or gifts of materials, equipment, services, facilities or anything else of value unless:

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

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

### *10.9 Bribery and other Corrupt Behaviour*

The Town Council as per the Bribery Act (2010) defines a bribe as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

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

## **11. Data Protection and Access to Information**

Haywards Heath Town Council will comply with all statutory requirements of the Data Protection Act by registering all personal data held on its computer and/or related electronic equipment and by taking all reasonable steps to ensure the accuracy and confidentiality of such information.

The Data Protection Act protects individuals' rights concerning information about them held on computer. Anyone processing personal data must comply with the eight principles of good practice. Data must be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- not kept longer than necessary
- processed in accordance with the data subject's rights
- secure
- not transferred to countries without adequate protection

Employees can request access to the information held on them by the Council. All requests by employees to gain access to their personnel records should be made in writing. Please see the Council's Freedom of Information Act generic publication document hosted on the Town Council's website.

## **12. Changes in Personal Information for Employment Purposes**

It is important that our records are correct, as inaccurate or out of date information may affect your salary or cause difficulties in situations where contact is required for emergencies. You **must** notify the Town Clerk or Deputy Town Clerk immediately of all changes in the following personal information:

- Name
- Home address
- Telephone number
- Bank account details
- Examinations passed/qualifications gained
- Emergency contact
- Driving licence penalties (if you are required to drive on Company business)
- Criminal charge, caution or conviction
- Conflict, or potential conflict of interest

Personal data on employees is held in accordance with the provisions of the Council's Data Protection Policy which will be made available for inspection by you if required.

### **13. Trade Union Membership**

It is your choice as to whether you wish to belong to a trade union recognised by the Council. This is one way in which you will be able to make your views known on all issues affecting staff within the Council and have a recognised route to resolve issues affecting groups of staff where other methods have not been effective. In addition, the unions can provide personal representation for you if you experience difficulties at work via their accredited representative system. The Council recognises the following Trade Unions:

GMB  
Regional Secretary Paul Maloney  
Cooper House  
205 Hook Road, Chessington  
Surrey  
KT9 1EA

UNISON  
UNISON Centre  
130 Euston Road  
London  
NW1 2AY

### **14. Valuing Diversity**

#### **14.1 Statement**

Haywards Heath Town Council is committed to valuing diversity and seeks to provide all staff with the opportunity for employment, career and personal development on the basis of ability, qualifications and suitability for the work as well as their potential to be developed into the job.

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

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

### *i) 14.2 Key Actions*

In adopting these principles Haywards Heath Town Council

1. Will not tolerate acts that breach this policy and all such breaches or alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate.
2. Fully recognises its legal obligations under all relevant legislation and codes of practice.
3. Will allow staff to pursue any matter through the internal procedures which they believe has exposed them to inequitable treatment within the scope of this policy. If you need to access these procedures they can be obtained from your line manager e.g. Grievance Procedure, etc.
4. Will ensure that all will understand and maintain their responsibilities and those of their staff under this policy.
5. Will offer opportunities for flexible working patterns, wherever operationally feasible, to help employees to combine a career with their domestic responsibilities.
6. Will provide equal opportunity to all who apply for vacancies through open competition.
7. Will select candidates only on the basis of their ability to carry out the job, using a clear and open process.
8. Will provide all employees with the training and development that they need to carry out their job effectively.
9. Will provide all reasonable assistance to employees who are or who become disabled, making reasonable adjustments wherever possible to provide continued employment. We will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary.
10. Will distribute and publicise this policy statement throughout the Council.

## **15. Dignity at Work**

### *15.1 Statement*

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

### *15.2 What and How of Harassment*

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

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

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

- race, ethnic origin, nationality or skin colour
- sex or sexual orientation
- religious or political convictions
- willingness to challenge harassment, leading to victimisation
- disabilities, sensory impairments or learning difficulties
- status as ex-offenders
- age
- real or suspected infection with a blood borne virus (eg AIDS/HIV)
- membership of a trade union or activities associated with membership

Forms may include:

- physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and slander, sectarian songs, letters and so on
- visual display of posters, graffiti, obscene gestures, flags and emblems
- isolation or non-cooperation at work, exclusion from social activities
- coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups
- intrusion by pestering, spying, following someone
- bullying

### *15.3 What should I do if subject to Harassment?*

If you feel you are being harassed you are strongly encouraged to seek early advice/support from the Town Clerk. If you feel the Town Clerk is harassing you, then you should contact the Town Mayor or Leader of the Council.

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

## **16. Pay, Benefits & Pensions**

### *16.1 Salary Arrangements*

Your salary will be paid monthly on the 28<sup>th</sup> of each month by direct credit transfer to your designated bank account.

Your basic pay was outlined in your letter of appointment and Contract of Employment. Any subsequent amendments to your basic pay will be notified to you in writing by the Council.

Part-time employees will be paid on a pro rata basis based on the hours they work. In all other aspects, their salaries will be paid in accordance with the pay arrangements for full-time employees of the Council.

If any queries arise with regard to pay, or if it looks as if a mistake has been made, speak to the Deputy Clerk so that he can take appropriate action. Unless agreed otherwise, any pay errors, whether of over or underpayment, will be rectified by a separated payment.

Appropriate deductions will be made from pay including income tax and National Insurance contributions (NICs), which are subject to each employee's earning level, family status and the number of hours worked.

### *16.2 Overtime*

Overtime is defined as all hours worked in excess of your full time contracted hours, which has the prior explicit approval of the Town Clerk.

If you are required to work more than your normal working hours on Town Council or external events, you will be reimbursed at time and half for these hours on weekends and hour for hour on during the normal working week, which you may take time off in lieu at a time agreed between you and the Town Clerk.

### *16.3 Income Tax*

If there are any changes in your personal circumstances which will affect your tax status, you should notify the Inland Revenue, who will automatically inform the Council of any changes to your tax code. Addresses of local offices and enquiry centres can be found here:

<http://www.inlandrevenue.gov.uk/menus/officesmenu.htm>

### *16.4 Business Travel*

You will be reimbursed for any expenditure necessarily incurred in order to do your job when working away from your normal place of work. Public Transport and accommodation costs will be reimbursed at actual cost – appropriate receipts must accompany all claims. Mileage rates when travelling by your own private transport are 45 pence per mile.

### *16.5 Sickness Pay Provision*

#### *i) Statutory Sick Pay (SSP)*

Is outlined in your contract of employment.

#### *ii) Occupational Sick Pay*

Occupational sick pay is outlined within your contract of employment but will not be unreasonably withheld as long as you have complied with the notification

requirements and have produced any necessary medical certificates, including self-certificates.

**\*\***The amount of sick pay you receive will depend on the length of your service with the Council

When assessing an employee's eligibility for sick pay, the amount of time they have had off over the previous **\*\***48 months will be taken into account.

Haywards Heath Town Council reserves the right to refuse to pay sick pay if it has reasonable cause to think that an employee is not genuinely sick, if it has cause to believe that an employee is abusing the sick pay scheme, if an employee has failed to comply with the notification requirements, or has not supplied the appropriate certification. If the sick pay scheme has been abused, disciplinary action may follow.

Payments of sick pay may be terminated, suspended or reduced if an employee fails to notify the Council of relevant facts, or if their absence or continued absence is due to their taking an unwarranted risk (in or out of work), conducting themselves in a way that prejudices their recovery, abusing alcohol or drugs or other substances, or recklessly endangering the health and safety at work of themselves and others.

## *16.6 Pension Scheme*

You are eligible to join the West Sussex County Council Pension scheme, details of which you should have received when you started (if you have not yet received this please speak to the Deputy Clerk). You may elect not to join the scheme if you so wish. Please note that no member of the Council can advise you on whether you should join or not. If you are unsure, you should seek independent financial advice.

## **17. Leave Arrangements**

### *17.1 Annual Leave*

Employees of Haywards Heath Town Council whether part-time or full-time are entitled to a minimum four weeks paid annual leave. A weeks leave allows you to be away from work for a week – that is the same amount of time as your working week. The Town Clerk will let you know your annual leave entitlement for the current leave year.

Holidays must be agreed with the Town Clerk as early as possible. The Council will where possible try to accommodate individual preferences for holiday dates but the needs of the business may have to take precedence, particularly where short or inadequate notice is given.

- The holiday year runs from 1st April to 31st March.
- Leave for employees joining after the start of the leave year accrues at the rate of one twelfth of the annual entitlement for each complete calendar month of service
- Leave for employees who terminate their employment during the leave year is calculated on the same basis. If, however, the annual leave entitlement has

been exceeded, a deduction calculated on the same basis will be deducted from the final salary payment.

- Holiday pay in lieu of accrued leave will be paid only on termination of employment and will normally be subject to a maximum of 10 working days.
- A member of staff annual leave entitlement increases by 5 days after 5 year continuous service.

Haywards Heath Town Council also recognises the 8 statutory Bank Holidays in addition to basic annual leave entitlement.

### *17.2 Time off for Dependants*

You are legally entitled to take a reasonable amount of time off to deal with certain prescribed emergencies involving certain dependants. This leave is called Time Off For Dependants. Time Off For Dependants can be taken, for example, if a dependant falls ill or is injured, if care arrangements break down, or to arrange or attend a dependant's funeral. A dependant is your child (including adopted child), husband, wife or parent. It also includes someone who lives in your household, and someone who reasonably relies on you, such as an elderly relative. Any time taken off must be necessary and reasonable in the particular circumstances. Time Off For Dependants is not paid.

## **18. Health and Safety**

### *18.1 Introduction*

Haywards Heath Town Council recognises and accepts its responsibility as an employer to maintain, so far as is reasonably practicable, the safety and health of its employees, and of other persons who may be affected by its activities.

It is your duty as an employee not to put at risk either yourself or others by your acts or omissions. You should also ensure that you are familiar with the Council's health and safety arrangements. Should you feel concern over any health and safety aspects of your work, this should be brought to the attention of the Town Clerk or the Deputy Town Clerk or in the case of the Groundstaff the Head Groundsman immediately. A breach in health and safety could lead to a case of gross misconduct and dismissal as could continued minor breaches, which would be addressed through the Council's disciplinary procedure.

The Council's generic Health and Safety documentation is attached to this document as Appendix 4.

### *18.2 Procedure in the event of an accident*

An Accident Book is available in the staff kitchen, at the depot and in each of the Council vehicles and it is the responsibility of each individual employee to report and record any accident involving personal injury. Any accident or near miss occurrence (i.e. no one was injured but the incident had the potential to injure or kill) at work should be reported immediately to the Town Clerk and Deputy Clerk.

All employees who are absent from work following an accident must complete a self-certification form, which clearly states the nature and cause of the injury.

For any employee who suffers an injury at work which results in them being away from work, or unable to do their normal work, for three days or more (including weekends, rest days or holidays) it is important that the Town Clerk and Deputy Town Clerk is informed as the Health and Safety Executive may also need to be informed by the Council.

### *18.3 First Aid*

The Council has three trained First Aiders or Appointed Person (someone who can take charge in the event of an accident). Details of these trained staff will be displayed on the Health and Safety poster located at the door to the office

### *18.4 Fire Safety*

Employees should follow these steps to help prevent fires:

- Before you use any electrical appliances carry out a quick check to make sure that the cables, plugs etc are not damaged.
- Do not use any electrical equipment that shows signs of damage, even if you think it is only minor. Report any faults you find to the Town Clerk or Deputy Town Clerk and find an alternative appliance.
- Ensure that you place your rubbish in the proper waste bins. Do not overfill the bins, and ensure that your waste bin is accessible to the cleaners at the end of each day.

Action to take when the fire alarm goes off:

- Immediately stop what you are doing and walk (do not run) to the nearest available safe fire exit. If your nearest exit/route is obstructed, choose another route. Make sure that you are aware of the fire exits and routes in your area.
- Follow the instructions of your designated Fire Marshal.
- Direction signs should indicate the route to your fire exit. These comprise a white arrow on a green background sometimes accompanied by the words 'FIRE EXIT' and also a pictogram of a running man. The arrows indicate the direction of the nearest fire exit.
- Do not use a lift to leave the building - always use designated stairs.
- Make your way to the appropriate assembly point.
- Once you are at the assembly point you should report to the Fire Marshal, so that they can account for the people in their designated area.
- Do not leave the designated assembly point, or attempt to re-enter the building, until you have been instructed to do so by the Fire Marshal.

Action to take if you discover a fire:

- **RAISE THE ALARM!** This can be achieved by breaking the glass on the call points or by shouting the instruction "Fire – call the fire brigade".

- Raise the alarm even if your building is fitted with an automatic fire alarm system, which has not yet activated - you must not wait for it to do so of its own accord. The alarm must be raised for every occurrence of a fire, no matter how small it appears to be. This will ensure that people in the building have adequate notice to evacuate should it begin to spread quickly. In addition, modern furnishings may allow the fire to develop unnoticed, so time is of the essence if everyone is to get out safely.
- Call the fire brigade at the earliest available, and safe, opportunity and do not attempt to tackle the fire unless you have been appropriately trained and can safely do so e.g. a small fire in a waste paper basket. Unless you have been trained you could be putting yourself or somebody else at risk.

### *18.5 Personal Safety*

Generally, you should try to avoid working alone whenever this is possible. However, if you have to work alone, then you need to develop an awareness of the risks and how to minimise them.

Prior to making an appointment with someone you do not know, obtain as much information as possible about the person you are meeting and arrange to meet the person in Council premises. Always ring back the telephone number you have been given to confirm that it is legitimate. If a mobile number is given you should always ask for an alternative fixed line number.

If visiting, let your colleagues know where you are going, with whom and what time you are expecting to return. If you think that you are going to run over your original timescales, let your colleagues know.

If you are at all concerned that you are being placed in a dangerous situation through your employment, you must discuss this with the Town Clerk.

## ***19. Training and Development***

The Council aims to provide training opportunities which will provide:

- An induction programme which all staff will be required to undertake and will assist staff settling into their new role/job.
- A progressive training and development scheme to enable staff to develop, relevant skills and acquire knowledge to underpin their current role and career aspirations.

### *Appraisal - The Process*

There are 4 stages in the process:

- **Preparation** – where you and your manager prepare separately for the interview using the appropriate documentation.

- **The Personal Development Plan Discussion** – where a personal development plan is agreed by you and the Town Clerk or Deputy Town Clerk.
- **Council notification** – your plan will be taken through the Committee process to be adopted by Full Council.
- **Monitor & Review** – the method and timescale for monitoring should be agreed at the discussion stage and implemented throughout the year.

## ***20. Leaving Haywards Heath Town Council***

### *20.1 Notice Periods*

Unless your employment is terminated by agreement, or specified otherwise in your principal statement of terms and conditions, you or the Council are required to give a period of notice in writing as follows as per the term of your Contract of Employment.

These periods of notice will apply if you are dismissed on grounds of inefficiency or if your dismissal is the result of disciplinary proceedings in circumstances where summary dismissal is not justified. Your employment may be terminated without notice where dismissal follows disciplinary proceedings.

### *20.2 Working Notice*

In all cases the Council reserves the right to enforce your full notice period. Your full remaining annual leave entitlement should be taken during your notice period in agreement with the Town Clerk. Exceptionally, if this is not possible, the Town Clerk may agree to make a payment in lieu of this. If you leave any day other than the last working day of that month, that month will not count for annual leave purposes.

If you resign and are in possession of Council property (including computer files), you should make the Clerk aware of these, and arrange how they will be handed back to the Council. You remain bound by the confidentiality arrangements outlined in this document.

In exceptional circumstances, if deemed appropriate and as an alternative to working your notice, the Council reserves the right either to transfer you to other suitable duties during your notice period or to require you to accept payment in lieu of any entitlement to notice.

### *20.3 Other Conditions on Leaving*

On leaving, the Council will deduct from any money due to you such sums as you may owe to the Council. These may include, but are not restricted to, any loans, relocation assistance, court orders and payment made for holidays taken in excess of entitlement.

If you leave without giving notice and without the Council's agreement, you are in breach of your contract and you may forfeit some or all of any salary due to you.

Before leaving, you must hand over to the Town Clerk all articles belonging to Council including any documents, equipment and computer software used at home. Documents and software include (but are not limited to) correspondence, diaries, address books, databases, files, reports, plans, records or any other medium for storing information. You should not retain any copies, drafts, reproductions, extracts or summaries of documents and software.

After you have left the Council, you must not:

- Solicit or seek to entice away any Council staff
- Use or divulge to any person or organisation any confidential information relating to the business of the Council

Should your employment be terminated following disciplinary action it is likely you will receive payment in lieu of notice. However, as there are numerous reasons as to why someone is dismissed, payment in lieu of notice will be reviewed on an individual basis taking into consideration the reasons behind the dismissal.

Should you be dismissed for reasons of gross misconduct, your employment will be terminated immediately without the benefit of notice or payment in lieu of notice.

#### *20.4 Retirement*

In line with current legislation the Council does not have an age where it expects employees to retire. It is however our policy to have regular workplace /appraisal discussions with all our staff where they can discuss performance and any development needs they may have, as well as their future aims and aspirations. Staff and the Clerk/Deputy Clerk can also use this opportunity to discuss retirement planning should the employee wish to do so.

You should ensure that you inform your line manager at least 6 months before you plan to retire to ensure all appropriate arrangements are made (e.g. sourcing a replacement, mobilising your pension etc.).

## Confirmation of Receipt of Handbook Form

Haywards Heath Town Council

<b>Name:</b>	
<b>Job Title:</b>	
<b>Place of Work:</b>	
<b>Clerk:</b>	

I confirm I have received a copy of the Haywards Heath Town Council Staff Handbook and that I have read this and understood the contents.

I also confirm that I have sought clarification from the Town Clerk on any issues outlined in the Handbook which I am not clear about.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this form duly completed and signed to the Town Clerk.

## **Appendix 1: Haywards Heath Town Council**

### **Maternity and Paternity Leave Policy**

#### **Introduction**

This policy sets out the statutory rights and responsibilities of employees who are pregnant or have recently given birth and covers the arrangements for ante-natal care, pregnancy-related illness, maternity leave and pay.

The Council implements the maternity rights as set out in legislation.

The following references are used in this section:

- Expected week of Childbirth - the week, starting on a Sunday, in which your doctor or midwife expects you to give birth.
- The Qualifying Week for Statutory Maternity Pay - the 15th week before the expected week of Childbirth

#### **Maternity rights**

You have the following key maternity rights:

- Time off for ante-natal care
- Statutory maternity pay - linked to your level of earnings
- Maternity leave.

#### **Notification of pregnancy**

On becoming pregnant, you should notify the Town Clerk as soon as you feel able to do so. This is important because there are health and safety considerations for the Council.

By the end of the Qualifying Week, or as soon as reasonably practicable afterwards, you are required to provide the following information in writing to the Council:

- That you are pregnant
- Your expected week of childbirth
- The date on which you intend to start your maternity leave.

In addition, you will need to provide your line manager with a MATB1 certificate. The MATB1 is issued by your doctor or midwife and it states when your baby is due. The certificate must have either your doctor's name and address on it, or if issued by a midwife, her name and registration number.

You are permitted to bring forward your maternity leave start date, provided you advise the Council in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. You may also postpone your maternity leave start date, provided you advise the Council in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

The Council will formally respond in writing to your notification of your leave plans within 28 days, confirming the date on which you are expected to return to work if you take your full 52-week entitlement to maternity leave.

## **Time off for ante-natal care**

Once you have advised the Council that you are pregnant, you are entitled to take reasonable time off work with pay to attend the ante-natal clinic and other ante-natal appointments made on the advice of your doctor, registered midwife or registered health visitor. Ante-natal care may include relaxation and parent craft classes that your doctor, midwife or health visitor has advised you to attend, as well as medical examinations.

In order to be entitled to take time off for ante-natal care, you are required to produce a MATB1 certificate from one of the above, stating that you are pregnant. You must endeavour to give your line manager as much advance notice as possible of ante-natal appointments and you should try to arrange them as close to the start or the end of your working day as possible.

## **Health and Safety**

The Council has a duty to take care of the health and safety of all employees. We are also required to carry out a risk assessment which may include assessing the workplace risks to women who are pregnant, have recently given birth or are breastfeeding where the work is of a kind which could involve a risk of harm or danger to their health and safety or the health and safety of their baby and the risk arises from either processes, working conditions or physical, chemical or biological agents in the workplace. If applicable, the Council will provide you with information as to any risks identified in any risk assessment. If the risk assessment reveals that you would be exposed to health hazards in carrying out your normal job duties, the Council will take such steps as are reasonably necessary to avoid those risks, such as altering your working conditions. In some cases, this may mean offering you suitable alternative work (if available) on terms and conditions which are not less favourable.

If it is not possible for the Council to alter your working conditions to remove the risks to your health and there is no suitable alternative work available to offer you on a temporary basis, the Council may suspend you from work on maternity grounds until such time as there are no longer any risks to your health. This may be for the remainder of your pregnancy until the commencement of your maternity leave. If you are suspended in these circumstances, your employment will continue during the period of the suspension and it does not in any way affect your statutory or contractual employment and maternity rights.

## **Sickness absence**

If you are absent from work during your pregnancy due to sickness, you will receive sick pay in the same manner as any other sickness absence provided that you have not yet begun ordinary maternity leave. If, however, you are absent from work due to a pregnancy-related illness after the beginning of the 4th week before the expected week of Childbirth but before the date you have notified, or before you have notified a date, on which you intend to commence your maternity leave, then your maternity leave will usually begin automatically on the day after the first day of your absence. You must notify the Council that you are absent from work wholly or partly because of pregnancy as soon as is reasonably practicable and, until your maternity leave commences,

## **Maternity leave**

All pregnant employees are entitled to take up to 26 weeks' ordinary maternity leave and up to 26 weeks' additional maternity leave, making a total of 52 weeks. This is regardless of the number of hours worked or length of service. Additional maternity leave begins on the day after ordinary maternity leave ends.

Ordinary maternity leave can start at any time after the beginning of the eleventh week before your Expected week of Childbirth (unless your child is born prematurely before that date). Maternity leave will start on whichever date is the earlier of:

- Your chosen start date
- The day after you give birth
- The day after any day on which you are absent for a pregnancy-related reason in the four weeks before the Expected week of Childbirth.

If you give birth before your maternity leave was due to start, you must notify the Council in writing of the date of the birth as soon as reasonably practicable.

The law requires all employees to take a minimum of two weeks of compulsory maternity leave immediately after the birth of their child.

### **Ordinary maternity leave**

During the period of ordinary maternity leave, your contract of employment continues in force and you are entitled to receive all your contractual benefits, except for salary. In particular, any benefits in kind will continue, annual leave entitlement will continue to accrue and pension contributions will continue to be made. Your pension contributions will be based on your actual pay whilst the Council's contributions will be based on the salary you would have received had you not gone on maternity leave.

Salary will be replaced by statutory maternity pay if you are eligible to receive it. On resuming work after maternity leave, you will be entitled to benefit from any general pay increases that may have been awarded in your absence.

You should endeavour to take any outstanding annual leave that may be due to you before the commencement of your ordinary maternity leave. You are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during maternity leave, you should take the full year's entitlement before starting your maternity leave.

### **Additional maternity leave**

During the period of additional maternity leave, your contract of employment continues in force and, as is the case during the period of ordinary maternity leave, you are entitled to receive all your contractual benefits, except for salary. Any benefits in kind will continue and annual leave entitlement will continue to accrue.

Salary will be replaced by statutory maternity pay for the first 13 weeks of additional maternity leave if you are eligible to receive it. The remaining 13 weeks of additional maternity leave will be unpaid.

Pension contributions will continue to be made during the period when you are receiving Statutory Maternity Pay but not during any period of unpaid additional maternity leave.

### **Statutory Maternity Pay**

Statutory Maternity Pay is payable for up to 39 weeks during your maternity leave. You are entitled to Statutory Maternity Pay if:

- You have been continuously employed by the Council for at least 26 weeks at the end of the Qualifying Week and you are still employed during that week

- Your average weekly earnings in the eight weeks up to and including the Qualifying Week are not less than the lower earnings limit for National Insurance contributions
- You are still pregnant eleven weeks before the start of your Expected week of Childbirth (or have already given birth)
- You provide a MAT B1 certificate stating your Expected week of Childbirth
- You give the Council proper notification of your pregnancy in accordance with the rules set out above.

For the first six weeks, Statutory Maternity Pay is paid at the higher rate, which is equivalent to 90% of your average weekly earnings calculated over the period of eight weeks up to and including the Qualifying Week. For the purpose of calculating average weekly earnings, shift allowances, on-call allowance, over-time payments, bonuses and commission are all included.

The standard rate of Statutory Maternity Pay is paid for the remaining 33 weeks (or less if you decide to return to work sooner). This is paid at a rate set by the Government for the relevant tax year, or 90% of your average weekly earnings calculated over the period of eight weeks up to and including the Qualifying Week if this is lower than the Government's set weekly rate.

If you become eligible for a pay rise between the start of the original calculation period and the end of your maternity leave (whether ordinary or additional maternity leave), the higher or standard rate of Statutory Maternity Pay will be re-calculated to take account of your pay rise, regardless of whether Statutory Maternity Pay has already been paid. This means your Statutory Maternity Pay will be re-calculated and increased retrospectively, or that you may qualify for Statutory Maternity Pay if you did not previously. You will be paid a lump sum to make up any difference between Statutory Maternity Pay already paid and the amount payable as a result of the pay rise. Statutory Maternity Pay is paid into your bank account in the same way as salary is normally paid.

Statutory Maternity Pay is treated as earnings and is therefore subject to income tax and National Insurance deductions.

Payment of Statutory Maternity Pay cannot start prior to the eleventh week before your Expected week of Childbirth. Statutory Maternity Pay can start from any day of the week in accordance with the date you start your maternity leave. Statutory Maternity Pay is payable whether or not you intend to return to work after your maternity leave.

It is important for maternity pay purposes that you notify your line manager if, during the maternity pay period, you are taken into legal custody or start to work for another employer.

If you have been working for the Council for less than 26 weeks at the Qualifying Week you are not eligible to receive Statutory Maternity Pay. You may, however, be able to apply to the Department of Work and Pensions for Maternity Allowance if you meet their qualifying conditions.

### **Contact during maternity leave**

Shortly before your maternity leave starts, the Council will discuss the arrangements for you to keep in touch during your leave, should you wish to do so. The Council reserves the right in any event to maintain reasonable contact with you from time to time during your maternity leave. This may be to discuss your plans for return to work, to discuss any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence.

### **Keeping in touch days (KIT days)**

Except during the first two weeks from childbirth, you may agree to work for the Council for up to a maximum of ten days during either your ordinary or additional maternity leave without that work bringing the period of your maternity leave to an end and without loss of a week's Statutory Maternity Pay. These are known as "keeping in touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

The Council has no right to require you to carry out any work, and you have no right to undertake any work, during your maternity leave. Any work undertaken, including the amount of salary paid for any work done on keeping in touch days, is entirely a matter for agreement between the Council and you. Any keeping in touch days worked do not extend the period of your maternity leave. Once the keeping in touch days have been used up, you will lose a week's Statutory Maternity Pay for any week in which you agree to work for the Association.

### **Returning to work**

You will have been formally advised in writing by the Council of the date on which your maternity leave will end and the date on which you are expected to return to work if you take your full 52-week entitlement to maternity leave. You are expected to return on this date, unless you notify the Council otherwise. If you are unable to attend work at the end of your maternity leave due to sickness or injury, the Council's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

Whilst you are under no obligation to do so, it would assist the Council if you could confirm as soon as convenient during your maternity leave that you will be returning to work as expected.

If you wish to return to work earlier than your expected return date, you must give the Council, preferably in writing, at least eight weeks' notice of your proposed date of early return. If you fail to do so, the Council may postpone your return to such a date as will give the Council eight weeks' notice, provided that this is not later than your expected return date.

If you decide not to return to work at all after maternity leave, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after your maternity leave has ended, the Association may require you to return to work for the remainder of your notice period.

### **Additional paternity leave**

You are entitled to swap maternity leave for paternity leave. However, a mother and father cannot take maternity leave and additional paternity leave at the same time and two adoptive parents cannot take adoption leave and additional paternity leave at the same time.

If you propose to return to work early, your spouse, civil partner or cohabiting partner, or the father of your child, may then be eligible to take additional paternity leave (and Additional Statutory Paternity Pay (ASPP), if applicable) once you have returned to work.

The earliest that additional paternity leave may commence is 20 weeks after the date on which your child is born and it must end no later than twelve months after the date of childbirth. The minimum period of additional paternity leave is two consecutive weeks and the maximum period is 26 weeks.

Further details should be obtained from your spouse's or partner's employer. If you do wish your spouse or partner to take additional paternity leave in this way, you will be required to submit a written and signed declaration form to that employer and you should be aware that it may also make additional enquiries of the Council to verify its employee's entitlement to additional paternity leave and pay.

### **Your rights on return to work**

On resuming work after ordinary maternity leave, you are entitled to return to the same job as you occupied before commencing maternity leave on the same terms and conditions of employment as if you had not been absent. On resuming work after additional maternity leave, again you are entitled to return to the same job as you occupied before commencing maternity leave on the same terms and conditions as if you had not been absent. If, however, there is some reason why it is not reasonably practicable for the Council to take you back in your original job, you will be offered suitable alternative work of equivalent status and responsibility and on terms and conditions that are no less favourable than would have applied if you had not been absent.

If you are a full-time employee, you have no automatic right to return to work on a part-time basis or to make other changes to your working patterns at the end of your maternity leave. However, all requests for part-time work or other flexible working arrangements will be considered in line with the operational requirements of the Council's business. It is the Council's policy to promote flexible working arrangements for all employees and in particular for women returning from maternity leave. Further details, including the procedure to be followed. If you would like this option to be considered, you should write to the Clerk setting out your proposals as far in advance of your return date as possible, so that there is adequate time for full consideration of your request.

## **Appendix 2: HAYWARDS HEATH TOWN COUNCIL**

### ***GRIEVANCE PROCEDURE***

#### **1. INTRODUCTION**

- 1.1. This procedure applies to all employees of Haywards Heath Town Council.
- 1.2. The objectives of the procedure are: -
  - To foster good relationships between the council and its employees by discouraging the harbouring of grievances;
  - To settle grievances as near as possible to their point of origin;
  - To ensure the council treats grievances seriously and resolves them as quickly as possible; and
  - To ensure that employees are treated fairly and consistently throughout the council.
- 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 the council 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 manager/the 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 clerk, in the case of the clerk having a grievance they will provide a copy to the Town Mayor.
- 3.2. Once the council 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 14 days of the council 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 afford the employees, councillors or the clerk time to consider the decision.
- 3.4. After the meeting the employee will be informed of the council's decision within 5 working days. A meeting may be reconvened for this purpose and/or The council's decision will be confirmed to the employee in writing.
- 3.5. If the employee wishes to appeal against the council's decision he or she must inform the council within 5 working days of receiving the decision.
- 3.6. If the employee notifies the council that they wish to appeal, the employee will be invited to attend a grievance appeal meeting before the Council's Staffing Working Party. 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 7 working days of the council 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 the council's final decision within 5 working days. The meeting may be reconvened for this purpose. The council's decision will be confirmed to the employee in writing.

#### **4. 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 Town Mayor.
- 4.2. Following receipt of a statement of grievance pursuant to 4.1. above, the council 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 the council responding to the grievance in writing.
- 4.3. If the ex-employee does not agree to the matter being dealt with by correspondence within 7 working days of the council 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 the Councils Staffing Committee.
- 4.4. If the ex-employee does agree to the matter being dealt with by correspondence, the Councils Staffing Working Group will consider his or her grievance and will respond to the ex-employee in writing within 14 days of the receipt of such confirmation setting out the basis for the council'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 the clerk they should raise the matter with the Town Mayor. All investigations and any grievance meeting will be conducted by the said Staff Working Group with ratification of the group decision made by Full Council. Any grievance appeal meeting will be conducted by 3 members of the council who do not sit on the Staffing Working Group.
- 5.3 Where a grievance is raised by the clerk to the council or all employee relations matters are dealt with by the Council's Staff Working Party all investigations and any grievance meeting will be conducted by the said Committee. Any grievance appeal meeting will be conducted by 3 members of the council 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.

## **Appendix 3: HAYWARDS HEATH TOWN COUNCIL**

### **DISCIPLINARY PROCEDURE**

#### **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 the council'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 the council.
- v. Insubordination.
- vi. Any other conduct that from time to time is defined by the council as amounting to misconduct.

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

#### **2. SCOPE**

The procedure applies to all employees of Haywards Heath Town Council.

#### **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 the council. 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 6 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 [employee's manager/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 6 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 [employee's manager/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 the council 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. The council 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. The council will set out in writing the alleged conduct or other circumstances which lead the council 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 the council 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. The council will be represented by The Mayor and the 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 Mayor/clerk time to consider their decision.
- 6.7. After the meeting the council 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 the council in writing within 5 days of receiving written notice of the decision.
- 6.9. If the employee notifies the council that he or she wishes to appeal, the employee will be invited to attend a disciplinary appeal meeting before the Council's Staffing Working Party. 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 7) working days of the council 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 the council. 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 the council 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 Council's Staffing Committee time to consider its decision.
- 6.11. After the disciplinary appeal meeting the council 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. COUNCIL DISMISSAL PROCEDURE FOR USE IN GROSS MISCONDUCT**

- 7.1. The following list provides examples of conduct that will normally be regarded by the council 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 the council.
  - v. Insulting, indecent or offensive behaviour towards a fellow employee or any other person whilst acting or purporting to act on behalf of the council.
  - 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 council property.
  - ix. Theft, unauthorised use or possession of council property or theft of the property of a fellow employee.
  - x. Conduct bringing the council into disrepute.
  - xi. Any other conduct that from time to time is defined by the council 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.
- 7.3. The council 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 the council 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. The council will send the employee a statement, setting out the allegations of misconduct that led to the employee's dismissal and the council'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 employees right to appeal against the councils decision.
- 7.6. If the employee wishes to appeal against the councils decision he or she must notify the council in writing within 5 working days of receiving notice of the councils decision pursuant to 7.5 above.
- 7.7. If the employee appeals the council will invite the employee to attend a disciplinary appeal meeting before the Council's Staff Working Party. 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 7 working days of the council 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 the council. 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 the council 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 [Council's Staffing Committee] time to consider its decision.
- 7.9. After the disciplinary appeal meeting the employee will be informed of the council's final decision within 5 working days the meeting may be reconvened for this purpose. The councils 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 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 [he Mayor and theclerk.
- 8.2. Where disciplinary proceedings are instigated against the clerk or all employee relations matters are dealt with by the Council's Staff Working Group, Verbal Warnings and Written Warnings will be given by the Town Mayor. Any investigations and any meetings will be carried out by the Council's Staff working Party. Any disciplinary appeal meeting will be conducted by 3 members of the council who do not sit on the Staffing Committee. Any matter above will have to be ratified by Full Council after the investigation or the clerk/mayor/staff working party.

## **Appendix 4 Hayward Heath Town Council**

### **Health and Safety Policy - Health and safety at Work etc Act 1974**

This is the Health and Safety Policy Statement of **Haywards Heath Town Council**

Our statement of general policy is:

- To provide adequate control of the health and safety risks arising from our work activities;
- To consult with our employees on matters affecting their health and safety;
- To provide and maintain safe plant equipment;
- To ensure safe handling and use of substances;
- To provide information, instruction and supervision for employees;
- To ensure all employees are competent to do their tasks, and to give them adequate training;
- To prevent accidents and cases of work related health;
- To maintain safe and healthy working conditions; and
- To review and revise this policy as necessary at regular intervals.

#### **Responsibilities**

As the employer Haywards Heath Town Council has overall responsibility for health and safety.

(1) Responsibility:

- Day-to-day tasks at the Town Hall are managed by the Town Clerk.
- Day-to-day tasks at the Depot and on site are managed by the Head Groundsman. and are overseen by the Deputy Clerk.

(2) Staff will be kept informed about health and safety matters: on a quarterly basis but they are still the overall responsibility of those named under point one. Delegation for specific task will be made to individuals within the organisation, by workplace area or by topic under point

(3) Responsibilities will be clearly set so that if there are any health and safety concerns, they can be reported to the right person or ultimately the Town Clerk.

Employees also have legal responsibilities to take care of the health and safety of themselves and others, and to co-operate to help the Town Clerk comply with the law.

#### **Control of Health and Safety Arrangements**

(1) Overall and final responsibility for health and safety is that of all staff individual and as a collective.

- Haywards Heath Town Council

(2) Day-to-day responsibility for ensuring this policy is put into practise is delegated to

- Town Clerk

(3) To ensure health and safety standards are maintained/improved, the following people have responsibility in the following area

<b>Name</b>	<b>Responsibility</b>
Town Hall Office:	Deputy Clerk - Andrew Sturgeon
Depot:	Head Groundsman (Alan John)
Outside Activities:	Groundstaff (Andrew Stempt)
Out of office hours:	Caretaker/Cleaner- Steve Wadmore/Josefa Figueira

(4) All employees have to:

- Co-operate with Deputy Clerk and Town Clerk on health and safety matters;
- Not interfere with anything provided to safeguard their health and safety;
- Take responsible care of their own health and safety; and
- Report all health and safety concerns to an appropriate person (as detailed in this policy statement).

### **Health and safety risks arising from our work activities**

(1) Arrangements for undertaking risk assessments.

- Town Hall assessment to be conducted by Town Hall Staff.
- Depot and Council landholdings/tasks assessments by Groundstaff.
- All reported to Clerk to present to the Council as the corporate body.

(2) Risk assessments will be reviewed by;

- Town Clerk, Deputy Clerk

(3) The findings of the risk assessments will be approved by;

- Town Clerk, Town Council

(4) Action required to remove/control risks will be approved by;

- Town Clerk, Deputy Clerk
- Town Clerk will be responsible for ensuring the action required is implemented.
- Town Clerk will check that the implemented actions have removed/reduced the risks.
- Assessments will be reviewed every Quarterly by staff, Annually by Council or when the work activity changes, whichever is soonest.

(5) Consultation with employees

The Town Clerk will consult with employees delegated with special tasks and then all staff (due to size of Town Hall staff). Consultation with employees is provided by Town Clerk through regular staff meetings.

(6) Safe plant and equipment and Council Facilities

- Depot & outside areas – Head Groundsman will be responsible for identifying all equipment/plant maintenance. Any problems found with plant/equipment should be reported to Responsible Finance Officer. Head Groundsman and Responsible

Finance Officer (will check that new plant and equipment meets health and safety standards before it is purchased).

- Town Hall – Responsible Finance Officer will be responsible for day to day running of Town Hall. The Town Clerk will be responsible for ensuring effective maintenance of the Town Hall in liaison with the Responsible Finance Officer.
- Town Clerk will be responsible for ensuring that all identified maintenance as per above is implemented.

### **Safe handling and use of substances**

A Substances Hazardous to Health Regulations 2002 (as amended) (COSHH) assessment has been undertaken by the Deputy Head Groundsman. To ensure the principles of the document are implemented the following delegations will apply;

- Outside areas - Groundstaff (Alan John)
- Town Hall office - Responsible Finance Officer in liaison with Deputy Head Groundsman will be responsible for identifying all substances which need a COSHH assessment.
- Deputy Head Groundsman will be responsible for undertaking COSHH assessments and will be responsible for ensuring that all actions identified in the assessments are implemented.
- Deputy Head Groundsman will be responsible for ensuring that all relevant employees are informed about the COSHH assessments and will check that new substances can be used safely before they are purchased.
- Assessments will be reviewed every quarter or when the work activity changes, whichever is soonest.

### **Information, instruction and supervision**

The Health and Safety Law poster is displayed at the entrance to reception and on the notice board at the depot.

Health and Safety advice is available from Town Clerk, Responsible Finance Officer and Groundsman Supervision of work experience /trainees will be arranged/undertaken/monitored by Town Clerk

Town Clerk is responsible for ensuring that our employees working at locations under the control of other employees are given relevant health and safety information.

### **Competency for tasks and training**

All employees are to be given health and safety induction training when they start work, which should cover basics such as first aid and fire safety. There should also be job-specific health and safety training. You also have to provide training if risks change, and refresher training when skills are not frequently used.

Induction training will be provided for all employees by Groundstaff (Deputy Head Groundsman), Town Hall – Town Clerk.

Job-specific training will be provided by Groundstaff (Deputy Head Groundsman), Town Hall – Town Clerk or outside bodies

### Training records are kept at/by

Town Clerk – Town Hall and office and Groundstaff (Deputy Head Groundsman) available on the Council's shared computer drive and held at depot.

### Training will be identified, arranged and monitored by

Town Clerk, Responsible Finance Officer

### Accidents, first aid and work-related ill health

Employees must receive specialist health surveillance for certain work. Your COSHH assessments will identify where this specialist health surveillance is needed. You should note down your first-aid arrangements here.

Health surveillance is required for employees doing the following jobs

- All jobs undertaken by groundstaff will be monitored by individual risk assessments.
- Health surveillance will be arranged by the Responsible Finance Officer in conjunction with Head Groundsman and Deputy Head Groundsman. This will be overseen by the Town Clerk.
- Health surveillance records will be kept by/at
- Office staff and monitored by the Clerk
  - The first-aid box(es) is/are kept at;
  - The Depot
  - Town Hall - 1<sup>st</sup> Floor Kitchen
  - Town Hall – Ground Floor Kitchen.
  - Council Vehicles

The appointment person(s)/first aider(s) is/are

Trained: Alan John and Andrew Stepmt, Rachel Skidmore and Helen Hewett

All accidents and cases of work-related ill health are to be recorded in the accident book. The book is kept by the front office staff who are responsible for reporting accidents, diseases and dangerous occurrences to the enforcing authority (HSE or your local authority depending upon where you work). A book is also held at the Town Council Depot located at Copyhold Lane.

### **Monitoring**

The Town Council will demonstrate it is monitoring health and safety by actively doing spot check visits, or reactively, eg by investigating any accidents or ill health and record instances along with the procedures to investigate the incident.

To check our working conditions, and ensure our safe working practices are being followed, Council staff will review the Town Hall and the Groundstaff the Depot on a quarterly basis

Town Clerk is responsible for investigating accidents.

Town Clerk is responsible for investigating work-related causes of sickness absences

Town Clerk is responsible for acting on investigation findings to prevent a recurrence.

### **Emergency procedures – fire and evacuation**

Recording of emergency procedures, how often they are checked and who by whom will be monitored by the Town Clerk.

The Town Clerk is responsible for ensuring the fire risk assessment is undertaken and implemented.

- Escape routes are checked by staff, each morning
- Fire extinguishers are maintained and checked annually by external contractors.
- Alarms are tested weekly by the caretaker.
- Emergency evacuation will be tested every bi-monthly.

### **Other matters to consider**

a) Electricity

The Council will ensure that arrangements are in place to test, maintain and compile records of the electrical safety of portable equipment, fixed installations, electrical tools, appliances and electrical work activities. Where possible, electrical equipment should be switched off overnight. Employees must not use any unauthorised electrical appliances or extension leads and must report immediately any defects and damage to equipment, plugs or cables to the Town Clerk/Head Groundsmand or Deputy Clerk.

b) Fire is covered in the staff and hirers fire procedure documentation found on the Council shared computer drive and the folder held on reception.

c) Asbestos in the premises

The Council will ensure that arrangements are in place to identify, record, manage, inspect and review the type and location of asbestos material in all Council owned or managed premises. Information must be conveyed to any employee and contractor who may be exposed to asbestos fibres in the course of their work. Regular inspections should be undertaken to ensure that asbestos material is not damaged. Where necessary, the Council will use only contractors who have been licensed by the Health and Safety Executive to work on, remove and dispose of asbestos containing material.

d) Managing contractors

The Council will ensure that persons carrying out contracted work on Council premises, land or structures are assessed prior to commencement of the work in respect of their health and safety competence and, in particular, their arrangements for working safely. This should include checks of their risk assessments, method statements, safe systems of work and previous accident records and enforcement history. In addition, they will be provided with a copy of the Council's Contractors' Code of Conduct and Safety Rules that they must sign and return to show that they agree to comply with the content therein.

e) RIDDOR reporting

RIDDOR means the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, which came into force on 1 April 1996. Reporting accidents and ill health at work is a legal requirement. The information enables the enforcing authorities to identify where and how risks arise and to investigate serious accidents. The enforcing authorities can then help and advise you on preventive action to

reduce injury, ill health and accidental loss - much of which is uninsurable. You will have duties under the Regulations to report:

- deaths
- major injuries
- accidents resulting in over 7 day injury
- diseases
- dangerous occurrences
- gas incidents

*Please inform the Town Clerk or Incident Contact Centre at  
Caerphilly Business Park  
Caerphilly  
CF83 3GG  
Tel: 0845 3009923  
Fax: 0845 3009924*

f) Manual handling

The Council will provide arrangements to ensure that any significant risk arising from manual handling activities by employees is avoided. Where this is not possible, an assessment will be undertaken to identify those at risk, training will be provided and safe systems of work developed to minimise the risks (e.g. mechanising the activity, providing assistance for the task). These assessments will be reviewed regularly and revised where necessary.

g) Display Screen equipment

The Health and Safety (Display Screen Equipment) Regulations 1992. These Regulations deal with the Health and Safety requirements when working with Display Screen Equipment (DSE). They are intended to protect staff who habitually use DSE as a significant part of their work. They are concerned not only with the effect that display screens may have on eyesight, but also the prevention of muscle and joint problems due to poor job and workplace design, and the physical and mental stress caused by prolonged continuous use. This may mean, if the workstation assessment finds it necessary, the provision of new chairs, footstools, document holders etc or the revision of work patterns and assurance that any new DSE equipment is suitable. The Town Clerk and/or designated Health and Safety Officer will need to make arrangements to:-

- \* assess workstations and reduce risks to Health and Safety;
- \* ensure that workstations meet minimum requirements;
- \* plan work to ensure breaks or changes of activity occur during prolonged use;
- \* arrange for eye tests if required by staff who qualify and if necessary provide corrective glasses needed specifically and solely for use with DSE;
- \* provide information and training for DSE users.

All of the above should be carried out in accordance with The Code Of Practice Held Centrally. All employees have a duty to:-

- \* inform their employer of any medical condition that may affect, or be affected by, their use of DSE;
- \* ensure that workstations and DSE are suitably adjusted so as to minimise Health and Safety risks.

h) Personal protective equipment

The Personal Protective Equipment At Work Regulations. The management of Health and Safety at Work Regulations 1992 require employers to identify and

assess the risks to Health and Safety present in the workplace, so enabling the most appropriate means of reducing those risks to an acceptable level to be determined. There is in effect a hierarchy of control measures, and PPE should always be regarded as the "last resort" to protect against risks; engineering controls and safe systems of work should always be considered first. However, in some circumstances PPE will still be needed to control the risk adequately, and these Regulations will then take effect. The Town Clerk and Health and Safety Officer/Site Manager will need to:-

- \* assess the need for PPE;
- \* select the most suitable PPE;
- \* provide, maintain and store PPE correctly, and replace it as necessary;
- \* ensure that information, instruction and training is given;
- \* ensure proper use and the reporting of loss or defect of PPE.

All employees have a duty to:-

- \* ensure that they use, maintain and store PPE in accordance with any instructions or training which they have received.

i) Driving at work

When you are driving, riding a motorcycle or bicycle on a work-related journey, you are effectively at work. Whilst the Council has a responsibility under the Health and Safety at Work Act 1974 to ensure, so far as reasonably practicable, your health and safety while at work, you also have a responsibility to ensure that you do not put others at risk when you are driving for work. You should not drive if you feel unfit to do so, for example if you are tired, unwell, have certain medical conditions or are taking medication that may affect your ability to drive. You must never drive whilst under the influence of alcohol. In addition, you must comply with all Road Traffic Acts and the Highway Code and the Department of Transport 'Driving at Work Manual', which has been provided to staff,

j) Pregnant women

The Company will encourage workers to tell us at an early stage if they are pregnant or a nursing mother. The Clerk will carry out an assessment of the affected worker considering their work activities and will identify appropriate controls to ensure her safety. Where her condition puts her at specific risk from substances or activities and this cannot be controlled by other means changes to her role will be considered. Nursing mothers will be supported by offering suitable facilities and changes to their work pattern.

k) Violence & Aggression

The Council will take all reasonably practicable steps to ensure that its employees are not subjected to violence or aggression while carrying out their work. Arrangements will be established to minimise the risk including, inter alia, providing training for all employees at risk; monitoring employees in potentially dangerous situations and providing them with appropriate support and means of communication to colleagues. All incidents of violence or aggression, verbal abuse and sexual or racial harassment should be recorded.

l) Workplace Stress

The Council will ensure, so far as is reasonably practicable, that no member of staff is subjected to a level of stress due to work, which is detrimental to their health. All employees are encouraged to report any concerns to the Clerk who will take steps to deal with the matter. The Council aims to create an environment where, if workplace

stress does occur, it can be dealt with openly and fairly. The Council also commits itself to investigating all claims of ill health due to workplace stress to ensure appropriate action is taken to prevent any recurrence of the situation.

## Appendix 5: HAYWARDS HEATH TOWN COUNCIL Whistleblowing Policy

### About this policy

- a. We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.
- b. The aims of this policy are:
  - To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
  - To provide staff with guidance as to how to raise those concerns.
  - To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- c. This policy covers all employees, officers, consultants, contractors, casual workers and agency workers.
- d. This policy does not form part of any employee's contract of employment and we may amend it at any time.

### Personnel responsible for the policy

- e. The Town Clerk has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- f. The Whistleblowing Officer has day-to-day operational responsibility for this policy, and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.
- g. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Town Clerk.

### What is whistleblowing?

- h. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
  - criminal activity;
  - failure to comply with any legal or professional obligation or regulatory requirements;
  - miscarriages of justice;
  - danger to health and safety;

- damage to the environment;
  - bribery [under our Anti-corruption and Bribery Policy;
  - financial fraud or mismanagement;
  - negligence;
  - breach of our internal policies and procedures
  - conduct likely to damage our reputation;
  - the deliberate concealment of any of the above matters.
- i. A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.
- j. This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure [or Anti-harassment and Bullying Policy as appropriate].
- k. If you are uncertain whether something is within the scope of this policy you should seek advice from [the Whistleblowing Officer], whose contact details are at the end of this policy.

#### Raising a whistleblowing concern

- l. We hope that in many cases you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases they may refer the matter to the Whistleblowing Officer.
- m. However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the Whistleblowing Officer, [NAME].]
- n. We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- o. We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

#### Confidentiality

- p. We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.
- q. We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work,

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

#### Investigation and outcome

- r. Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.
- s. In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.
- t. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- u. If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

#### External disclosures

- v. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- w. The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.
- x. Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your line manager for guidance.

#### Protection and support for whistleblowers

- y. It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- z. Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform [the Whistleblowing Officer] immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

aa. You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action.

#### Contacts

<b>Whistleblowing Councillor</b>	Cllr Sandy Ellis 01444 451551 paulebass@aol.com
<b>Town Clerk</b>	Steven Trice 01444 455694 Steven.trice@haywardsheath.gov.uk
<b>Public Concern at Work</b> (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk

**HAYWARDS HEATH TOWN COUNCIL**  
**APPENDIX 6: ADVERSE WEATHER AND TRAVEL DISRUPTION POLICY**

About this policy

- a) This policy applies where it becomes impossible or dangerous for employees to travel in to work because of:
  - extreme adverse weather such as heavy snow;
  - industrial action affecting transport networks; or
  - major incidents affecting travel or public safety.
- b) On these occasions we recognise that a flexible approach to working arrangements may be necessary to accommodate the difficulties employees face and to protect health and safety, while still keeping the business running as effectively as possible.
- c) This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.
- d) This policy does not form part of any employee's contract of employment and we may amend it at any time.

Travelling to work

- e) Employees should make a genuine effort to report for work at their normal time. This may include leaving extra time for the journey and/or taking an alternative route. Travel on foot or by bicycle should be considered where appropriate and safe.
- f) Employees who are unable to attend work on time or at all should telephone their line manager or the Town Clerk before their normal start time on each affected day.
- g) Employees who are unable to attend work should check the situation throughout the day in case it improves. Information may be available from local radio stations, the police, transport providers or the internet. If conditions improve sufficiently, employees should report this to their line manager or the Town Clerk and attend work unless told otherwise.
- h) Employees who do not make reasonable efforts to attend work or who fail to contact their manager or the Town Clerk without good reason may be subject to disciplinary proceedings for misconduct. We will consider all the circumstances including the distance they have to travel, local conditions in their area, the status of roads and/or public transport, and the efforts made by other employees in similar circumstances.

#### Alternative working arrangements

- i) Employees may be required to work from home, where possible, or from an alternative place of work, if available. Line managers or the Town Clerk will advise them of any such requirement. Such employees will receive their normal pay.
- j) Employees who are able to work may sometimes be expected to carry out additional or varied duties during such periods. However, employees should not be required to do anything they cannot do competently or safely.

#### Late starts and early finishes

- k) Employees who arrive at work late or who ask to leave early will usually be expected to make up any lost time. Managers have the discretion to waive this requirement in minor cases, or (in the case of lateness) where they are satisfied the employee has made a genuine attempt to arrive on time.
- l) Managers have the discretion to allow staff to leave early and should have regard to the needs of the business and the employee's personal circumstances.
- m) Where half the normal working day or more is lost this will be treated as absence and dealt with as set out below.

#### Absence and pay

- n) Employees who are absent from work due to extreme weather or other travel disruptions are not entitled to be paid for the time lost.
- o) Absence can be treated in a variety of ways. Employees should discuss their preference with their line manager, who retains overall discretion in the matter. A number of options are set out below:
  - Treating the absence as annual leave.
  - Making up the lost hours within a reasonable time.
  - Treating the absence as special unpaid leave.
- p) If, in exceptional circumstances, we decide to close the workplace, employees will be paid as if they had worked their normal hours.

#### School closures and other childcare issues

- q) Adverse weather sometimes leads to school or nursery closures or the unavailability of a nanny or childminder.
- r) In cases such as these where childcare arrangements have been disrupted, employees may have a statutory right to reasonable time off without pay.

## Email and Internet Policy

### 1. Introduction

The Internet is a worldwide communications network linking together computer networks and many millions of users through public and private telecommunications lines. It is this infrastructure that is used to deliver email to its destination.

Haywards Heath Town Council recognises that the use of email is critical to the work carried out by Officers and Members. Many of our residents, partners and suppliers have an expectation that they can deal with us through this medium.

The use of email requires careful management and this policy sets out the Council's responsibilities and activities in regard to this technology. It provides the framework and guidance for use rather than detailed operating procedures.

### 2. Scope

Because of the open nature and ready availability of email and internet services, there are potential dangers to the Council. These could arise from malicious intent, carelessness, complacency or misuse. Preventing these risks occurring is of paramount importance and requires the Council to adopt a policy on the use of these facilities. The document is intended to clearly define the conditions of use of email and is subject to amendment in response to changing circumstances. Should this occur you will be advised accordingly. The policy applies to all Councillors and Employees of Haywards Heath Town Council or any person using Council equipment or sending emails on behalf of Haywards Heath Town Council. A breach of this policy may result in authorisation being withdrawn from an individual. In addition action may be taken against an employee through the discipline process. Councillors breaches may be dealt with through the Standards Board Committee.

### 3. Purpose and Use

The email service is installed expressly for the purpose of supporting the Council's business activities. Permission should be obtained before an employee makes use of the Council's email system for other than council use.

Under no circumstances should the email service be used for any purpose that may be considered illegal or mischievous. Any use of the email system in such a way as to threaten the normal operation of the Council's business, or to damage the reputation of the Council, will result in action being taken against the individual involved. The Council's email service may not be used for transmitting, retrieving or storing any communication of a discriminatory or harassing nature or materials that are offensive, obscene, and pornographic or of a sexually explicit nature.

Great care should be taken when sending emails that any message does not appear to be abusive, profane or offensive. Care should also be taken that any comments made on emails to ensure that comments made cannot result in a claim against the council for libel or slander. It should also be remembered that retained emails are subject to the Freedom of Information Act, therefore great care must be taken at all times in respect of the content of such emails. No user may use the Council's email system to deliberately propagate any virus, worm, Trojan horse or similar.

### 4. Use of Email

Communications via email should not be considered as secure, private or confidential; therefore care should be taken in sending any personal or sensitive information. Do not

assume privacy for any email communications of any kind. Emails and or files can be posted or forwarded to other users around the world without the user's knowledge or permission.

Any messages or information sent by employees or councillors are statements that reflect the Council. All users should be aware that their views will be construed as representing the Council. It should be noted that having a disclaimer does not legally divorce the legal connection between the sender and the Council.

The Council uses Virus protection software on all its computer systems. The software is configured to intercept any viruses in email attachments. Although this software provides assurance, the software should not be a substitute for extra vigilance when using email systems.

## 5. Internet

The use of the Internet has become a key component in the effective operation of the Council. A great deal of the day to day communication of the Council is now conveyed by email through Internet systems.

The Council's Internet service may not be used for transmitting, retrieving or storing any communication of a discriminatory or harassing nature or materials that are offensive, obscene, pornographic or sexually explicit. Disciplinary proceedings may be invoked on any member of staff who breaches this condition. In the case of a breach by Councillors action may be taken through the Standards Committee.

No user must knowingly use the Council's Internet facility to download or distribute pirated software or data. Internet facilities must not be used to download or play entertainment software or games. No video images should be downloaded unless there is an explicit business related use for the materials.

No user may upload software licensed to the Council or data owned or licensed by the Council without explicit authorisation.

## 6. Security Principles

Any violation of rules and procedures should be reported to the Town Clerk or relevant line manager.

Deliberate or serious violation of the rules and procedures in the policy will result in invoking the disciplinary procedure.

It is your duty to be aware of your legal responsibilities and to comply with legislation.

You should not disclose any logon ID passwords to anyone other than those who are required to have this information.