

LLANTWIT FARDRE COMMUNITY COUNCIL
CYNGOR CYMUNED LLANILLTUD FAERDREF

Policy No	Policy Name
Policy 1	Absence – Long term sickness absence policy Existing
Policy 2	Absence – Obtaining medical reports policy New
Policy 3	Absence – Short term sick absence policy Existing
Policy 4	Adoption – rights and benefits New
Policy 5	Alcohol & Drugs policy New
Policy 6	Conduct & Dress at Work policy New
Policy 7	Dignity at Work – bullying / harassment policy New
Policy 8	Disciplinary policy Existing
Policy 9	Discretionary Other Leave policy Existing
Policy 10	Equal Opportunity Policy New
Policy 11	Expenses Policy New
Policy 12	Family Leave – Maternity, Paternity Adoption New
Policy 13	Flexible working policy New
Policy 14	Grievance Policy Existing
Policy 15	Holiday Policy Existing

Dated: Reviewed 11th May 2015
Next review to take place in May 2016

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Policy 16	Internet Email Policy New
Policy 17	Learning and Development Policy New
Policy 18	Organisation Rules Policy New
Policy 19	Parental Leave Policy New
Policy 20	Probation Policy New
Policy 21	Recruitment Policy New
Policy 22	Termination of Employment Policy New
Policy 23	Whistleblowing Policy New
Policy 24	Working Hours and Toil Policy New
Policy 25	Maternity Policy New
Policy 26	Equality Policy New
Policy 27	Bullying and harassment policy New
Policy 28	Display Screen Equipment New
Policy 29	Data Protection New
Policy 30	COSHH New

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- | | |
|-----------|--|
| Policy 31 | Public Complaints |
| | New |
| Policy 32 | General Health and Safety |
| | Existing |
| Policy 33 | Payments to Members of Community and Town Councils |
| | New |

Policy 1

Long-term Sickness Absence Policy

Llantwit Fardre Community Council operates the following policy in relation to long-term sickness absence and aims to encourage all its employees to maximise their attendance at work. It is recognised, however, that a certain level of sickness absence is inevitable. It is the Organisation's policy to support employees who are genuinely sick and unable to come to work.

Llantwit Fardre Community Council pays employees Contractual (CSP) and Statutory Sick Pay (SSP), see Short-term Absence Policy.

In the event of employees being on long-term sickness absence (more than 2 months) they are expected to comply with the Organisation procedure for notifying their manager of the absence, attending an interview with their manager on request to discuss the absence, completing a self-certification form on return to work, providing medical certificates as appropriate and agreeing to attend an interview/examination with a Llantwit Fardre Community Councils -nominated doctor/occupational health practitioner at the request and cost of the Organisation.

In the event of any absence involving long-term ill health and/or disability Llantwit Fardre Community Council will request a meeting (if appropriate). The purposes of this meeting will be to establish the reasons for absence and its likely duration.

You will be requested to allow Llantwit Fardre Community Council to contact your doctor in order to establish the likely length of absence and the long-term effect on capability in relation to your job performance and attendance at work. In addition, employees' may be requested by the Council to consent to be examined by a nominated occupational/health/medical doctor and/or practitioner (at the Council's expense) and to agree to allow the doctor/practitioner to provide a medical report to the Organisation. The purpose of this request is for the Organisation to establish the likely length of absence and the long-term effect on capability in relation to your job performance and attendance at work. The terms of all employees' contracts are that they must give such consent when reasonably asked to do so by the Council.

In the event of long-term ill health and/or disability the Council will consider making reasonable adjustments where possible and would consult with the employee with regard to the options available such as a revision of duties, alternative working patterns, e.g. a shorter working week, if this would assist the employee to return to work. Where reasonable adjustments are made that result in reduced working hours, all pay and benefits will be pro reduced pro rata accordingly.

In the event that reasonable adjustments and alternative employment is impracticable, inappropriate or unreasonable, ultimately it may become necessary from a business perspective for the Council to consider termination of employment in consultation with the employee. In these circumstances, the Council will:

- review the employee's absence record to assess whether it is sufficient to justify dismissal;

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- consult the employee;
- obtain up-to-date medical advice;
- advise the employee in writing as soon as it is established that termination of employment has become a possibility;
- meet with the employee to discuss the options and consider the employee's views on continuing employment;
- review whether there are any other jobs that the employee could do prior to taking any decision on whether to dismiss;
- allow a right of appeal against any decision to dismiss the employee on grounds of long-term ill health; and
- arrange a further meeting with the employee to determine any appeal;
- following this meeting, inform the employee of its final decision;
- act reasonably towards the employee at all times.

Abusing Council policy or making any false statement regarding sickness absence will be regarded as gross misconduct and will be dealt with under the Council's disciplinary procedure. Failure to comply with notification or certification procedures will also be dealt with under the Council's disciplinary procedure.

See other policies:

- Short-term Sickness Absence Policy
- Obtaining Medical Records Policy
- Family Friendly Policies
- Holiday & Leave Policy
- Disciplinary Procedure

Policy 2

Obtaining Medical Reports –

There may be occasions when the Council considers it necessary to request details from a medical practitioner on the health of an employee. Where medical reports from an employee's medical practitioner are necessary, the employee will be fully informed of their rights under the Access to Medical Reports Act 1988 and their permission will be sought for the report to be obtained.

The circumstances in which the council will seek a medical report on an employee include:

- frequent short-term absences, where a full-time employee is absent for more than 3 separate occasions of absence in any 12 consecutive months (pro-rata for part-time employees). Additional requests will be at the discretion of management;
- long-term absence, where an employee has been absent for a period of 2 months or is likely to be absent for a period of 2 months or more (excluding maternity, paternity and adoption leave).

The Council will ask the employee for permission to contact a medical practitioner on the relevant form. Where the employee has any queries on their rights under the Access to Medical Reports Act 1988 or the procedure to be followed, he/she should contact their line manager.

When requesting a report, the Council will provide the medical practitioner with as much information as possible on the role of the employee and explain why the report is being sought. The Council will provide the medical practitioner with:

- the employee's signed form consenting to the request to seek a medical report;
- confirmation that the employee is aware of their rights under the Access to Medical Reports Act 1988;
- details of the major features of the employee's job; and
- information on the employee's absence record for a period of 12 consecutive months.

The Council will ask the medical practitioner to identify issues such as:

- the nature of the employee's illness;
- when, if ever, the employee is likely to be fully fit to resume their normal duties;
- if the employee is unfit to resume their normal duties, what alternative duties he/she might be fit to undertake;
- when the employee is likely to be fit to undertake any alternative duties;
- what reasonable adjustments could be made to working conditions or work premises to facilitate a return to work; and
- the likelihood of recurrence of the illness/injury once the employee has returned to work.

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Employees have the right of access to a report before the Council sees it. If the employee wishes to see the report, he/she should inform the Council of this, so that it can inform the medical practitioner.

Where the employee refuses permission for the Council to contact their medical practitioner, the employer will explain to the employee the reasons behind the request. Where permission continues to be refused, the employee will be informed that a decision relating to their employment may be made without the benefit of access to medical records. The same procedure will be followed where an employee delays in giving their consent.

Where an employee feels that the report is misleading or incorrect, he/she may ask the medical practitioner to amend it. If the medical practitioner does not agree with the employee and does not alter the report, the employee may attach a statement to the report to reflect their views. Alternatively, having seen the report, an employee may request that access to the employer be withheld. The employee will be informed that a decision relating to employment may be made without the benefit of access to medical records.

If the Council wishes to take action following the report, this will be taken only after consultation with the employee and full and careful consideration of all the facts provided. The Council will request a meeting with the employee to discuss the report and identify what action is to be taken.

Making any false statement regarding absence will be regarded as gross misconduct and will be dealt with under the Council's disciplinary procedure.

See other policies:

- Short-term Sickness Absence Policy
- Long-term Sickness Absence Policy
- Family Friendly Policies
- Disciplinary Procedure

Policy 3

Short Term Sickness

Introduction

Llantwit Fardre Community Council is funded through Public funds and is accountable for the effective spending of those funds. It does not have insurance to cover the cost of sickness pay, and costs are met from operational sources. Our workforce is the most valuable asset we have and you are regarded as an important individual within the team. We aim to attract and retain good staff and to have policies in place which will support this aim.

Establishing a sickness management policy which is jointly agreed with Line Manager and employees is regarded as good practice and the expertise of agencies such as ACAS has been drawn upon in the development of this policy.

High levels of absence has a detrimental effect on delivering the Council's work, and the aim of this policy is to balance the needs of the organisation whilst being supportive to, and dealing fairly with the individual's circumstances.

1. The purpose of this policy is to set out what treatment you can expect from Llantwit Fardre Community Council if you suffer sickness or injury or if you are absent from work for other reasons.
2. Your attendance is important to the organisation and is monitored. This policy identifies points at which Llantwit Fardre Community Council will take action if your sickness absence reaches unacceptable levels.
3. The overriding aim is to ensure a healthy, productive workforce, not to punish you for being unwell. However, Llantwit Fardre Community Council cannot ignore the effects on the services and on other employees of lateness or absence from duty, whatever the cause.
4. Your absences, for whatever reason, will be monitored. Sickness absence records are the principle responsibility of your Line manager with whom the originals of relevant paperwork should be deposited.

This policy relates to short-term sickness absence from work which is defined as those lasting up to two weeks. There are other policies in the Employee Handbook that deal with long-term absence and other types of leave such as time off work for personal reasons, family leave, special and compassionate leave.

Recording and Measuring Absence

Llantwit Fardre Community Council records information relating to all absence and leave taken by each individual. Absence levels are calculated from the total number of days absent and the number of occasions of absence in a 12 month rolling period.

- I. The percentage of absence from work will be calculated on 224 working days (365 days of the year, minus 104 weekend days, minus 37 holidays) and will be pro rata for individuals who do not have 12 months service or work part-time hours.

Periods of absence that are for a reason connected to a disability, any period of statutory leave or an injury or illness which is work-related or pregnancy related is recorded appropriately and given due consideration in accordance with Employer obligations.

Acceptable Levels of Absence

Llantwit Fardre Community Council regards absences to be unacceptable and frequent if, during any period of 12 consecutive months, an employee is absent from work for 8 or more working days, or on three separate occasions or more.

Absence Management Trigger levels

Trigger levels are in place to effectively manage absence within the Organisation. The trigger levels that indicate frequent absence in a 12-month period are:

- A percentage of 3.5% or more
- 3 or more occasions

You will be invited to attend a return to work interview in the event that your absence level reaches any one trigger level listed above. See below 'Short-term Sickness Guidelines for Employees' for Return to Work Interviews, and 'Absence Management' for management procedure of unacceptable absence.

Statutory Sick Pay

Llantwit Fardre Community Council pays employees Statutory Sick Pay (SSP). The main features of the SSP scheme are:

- The first three days of incapacity are unpaid (called 'waiting days')
- Further sickness is paid for up to 28 weeks at the SSP rate revised annually by HM Government
- Once SSP is exhausted, an employee normally transfers onto benefits, paid directly by the Department of Work and Pensions.
- If two periods of sickness are separated by less than eight weeks (56 days) then they are linked and the employee need not serve the waiting days again

SSP is paid providing an employee's average earnings before deductions are equal to or more than lower earnings limit for SSP. Payments are made in accordance with the SSP scheme rules.

Contractual Sick Pay (CSP)

It is Llantwit Fardre Community Council's policy to pay employees Contractual Sick Pay, i.e. their normal basic rate of pay exclusive of other allowances, inclusive of any Statutory Sick Pay entitlement, during periods of sickness absence.

- Allowance's as follows:

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After completion of 1 year's continuous service you will be

After 6 months' but less than 1 year's service 4 weeks + 4 weeks

After 1 year's but less than 2 years service 9 weeks + 8 weeks

After 2 years but less than 3 years service 13 weeks + 13 weeks

After 3 years but less than 4 years service 16 weeks + 16 weeks

After 4 years but less than 6 years service 20 weeks + 20 weeks

After 6 years 26 weeks + 26 weeks

- Payment is, however, conditional upon you complying with the organisation's procedure for notifying your line manager of the absence, attending an interview with your manager on request to discuss the absence, completing a self-certification form on return to work, providing medical certification where appropriate and agreeing to attend an interview/examination with an organisation-nominated doctor/occupational health practitioner at the request of the Council.

Medical Appointments

If you have a need to attend medical appointments (excluding ante-natal) you are allowed to take up to 1 day's leave per annum for medical appointments that cannot be made outside working hours. At all other times, you are expected to arrange them outside working hours where possible. Appointments in work time should be approved in advance and will count as TOIL. Appointments will be recorded. Where TOIL is not available agreement must be made with the line manager to make up hours or to take time off (hours) as annual leave or unpaid leave.

Where an appointment involves treatment which means you are unfit to work this should be recorded as sick leave. Where there is a medical condition which requires treatment on a regular basis for a prolonged period (e.g. daily treatment over the course of a week or more, weekly treatment over the course of a month or more, monthly treatment over the course of five months or more) and it is certificated through a hospital letter or medical practitioner letter this will be recorded as sick leave and will count against your sick pay entitlements.

SHORT-TERM SICKNESS GUIDELINES FOR EMPLOYEES:

Should you have a need to be absent from work due to sickness you should comply with the following organisation rules which are as follows, you must:

- Notify their your line manager no later than 9.30am on the first day of sickness or injury. In the absence of the line manager contact the office and leave a message with a colleague. SMS text messages are not reliable and should not be used as a form of communication for informing of absence. You should telephone to say if you are ill or unable to attend work for any

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reason. You should be prepared to state the reason why you cannot attend work, and how long you think the absence will last.

- Attend an informal return-to-work meeting with your line manager, as requested, to discuss the recent absence and the reason for it. The purposes of this interview will be to:
 - Identify the frequency and reason for the absences and ensure that you are fit for work, update you on any important matters that you have missed and, if appropriate, make you aware that your absence record is giving cause for concern
 - Ensure the proper medical attention has been/is being sought for any underlying medical problem and to get a better understanding of the medical problem being experienced
 - Give consideration to your personal problems and possible ways of helping you to resolve them. Establish whether your line manager can provide any support to you which could facilitate attendance at work in the future (for example if your absence was/is in any way work related).
 - Address any persistent short-term absences, identifying any patterns in absence and advise that such absence is unacceptable
 - Agree a reasonable period of time over which attendance can be assessed but explain how if this behaviour persists, the organisation may have to invoke the disciplinary procedure.
 - A return to work interview form will be completed confirming the facts, the support that will be given, any action to be taken and specifying what will happen if your attendance does not improve. A copy will be given to you.

- Complete and submit a self-certification form on return to work for all periods of sickness absence of over three days and up to seven calendar days. Self-certification forms are available from line managers.

- All medical and dental appointments must be agreed by your line manager and reasonable notice for appointments should be given. Appointments should be made where feasible to cause minimal disruption to the working day. (NB: Antenatal appointments are excluded from the definition of 'medical appointments' as there is a right to take paid time off for antenatal care.) Documentation for each appointment should be provided or at least available on request.

- Provide a medical/doctor's certificate for a period of sickness absence of more than seven calendar days. On the eighth day, if it is a working day or, if not, on the first working day thereafter, provide a medical certificate stating the reason for your absence and you must provide a like certificate to cover any subsequent continuous period of absence.

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- Provide a medical/doctor's certificate for a period of sickness absence of less than seven days if the Council specifically requests it. In these circumstances the Council will reimburse you for the cost of obtaining a certificate if it has to be obtained privately.
- Agree on request to be interviewed and/or examined by an occupational practitioner nominated by the organisation and to authorise the release of any medical report from the specialist to the organisation, or for a medical report to be requested from your General Practitioner, other medical specialist or Occupational Health Practitioner (see 'Obtaining Medical Information Policy'). The organisation will meet all costs associated with any such examination and/or medical reports.
- Maintain regular contact with your line manager during the period of absence to inform them of your condition and anticipated return to work. Regular contact with your line manager will be agreed on an individual basis as is reasonable depending on the circumstances, e.g. every 24 hours for short-term absence, every 7 days for mid-term absence, every two weeks for long-term absence.

Absence Management

Unacceptable levels of absence without mitigating reasons and failure to comply with notification or certification procedures will also be dealt with under the Council's disciplinary procedure.

Abusing Council policy or making any false statement regarding sickness absence will be regarded as gross misconduct and will be dealt with under the Council's disciplinary procedure.

See other policies:

- Long-term Sickness Absence Policy
- Obtaining Medical Information Policy
- Working Hours & TOIL Policy
- Family Friendly Policies
- Holiday Policy
- Discretionary & Other Leave Policies
- Disciplinary Procedure

Policy 4

Adoption – Rights and Benefits

Introduction to adoption rights and benefits

This policy sets out the rights of employees to statutory adoption leave and pay.

An employee who adopts a child through an approved adoption agency is entitled to up to 52 weeks' adoption leave provided that he/she has at least 26 weeks' continuous service calculated as at the week in which notification of matching is given by the adoption agency.

The employee's entitlement is to take up to 26 weeks' ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave. The employee's maximum entitlement is thus to take up to 52 weeks' adoption leave.

All employees who take adoption leave have the right to return to work at any time during their ordinary adoption leave or additional adoption leave subject to their following the correct notification procedures as set out below.

Who qualifies for statutory adoption pay and how much will the employee receive?

Employees who qualify for adoption leave will also qualify for statutory adoption pay provided that their average weekly earnings are not less than the lower earnings limit for national insurance contributions. Statutory adoption pay is payable for up to 39 weeks at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.

Statutory adoption pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

Employees who are not entitled to SAP may be entitled to receive another allowance payable by the Government.

Timing of adoption leave

Adoption leave can start on the day the child is placed for adoption, or up to 14 days earlier.

In order to make administration as easy as possible, the employee should discuss the timing of his/their adoption leave with his/their immediate manager as early as possible.

Notice requirements

In order to be entitled to take adoption leave and receive statutory adoption pay, the employee is required to give the Council written notification of his/their intention to take adoption leave no later than seven days after the date on which notification of the match with the child was provided by the adoption agency. Notice, which must be in writing if the Council requests it, must specify the date the child is expected to be placed with the employee for adoption and the date the employee intends his/their adoption leave to start.

The employee is permitted to bring forward his/their adoption leave start date, provided that he/she advises the Council in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone his/their adoption leave start date, provided that he/she advises 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 employee must also, if the Council requests it, provide evidence of entitlement to adoption leave and pay by producing a "matching certificate" from the adoption agency.

Any failure to give proper notice of an intention to start adoption leave will be regarded as a disciplinary offence, leading potentially to disciplinary sanctions for misconduct if appropriate.

Within 28 days of receiving the employee's notice of intention to take adoption leave, the Employer will write to the employee confirming the latest date on which the employee must return to work after adoption leave.

Rights during adoption leave

During ordinary adoption leave and additional adoption leave, all terms and conditions of the employee's contract except normal pay will continue. Wages will be replaced by statutory adoption pay if the employee is eligible for it.

This means that, while sums payable by way of wages will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue and pension contributions will continue to be paid.

Employees are encouraged to take any outstanding holiday due to them before the commencement of adoption leave. Employees are reminded that holiday must be taken in the year that it is earned.

Contact during adoption leave

Llantwit Fardre Community Council reserves the right to maintain reasonable contact with employees during adoption leave. This may be to discuss employees' plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

Keeping-in-touch days

Employees can agree to work for the Council (or to attend training) for up to 10 days during their adoption leave without that work bringing their adoption leave to an end and without loss of a week's statutory adoption 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.

Llantwit Fardre Community Council has no right to require employees to carry out any work and employees have no right to undertake any work during their adoption leave. Any work undertaken, and the amount of salary paid for any work done on

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keeping-in-touch days, is entirely a matter for agreement between employees and the Organisation.

Returning to work after adoption leave

The employee may return to work at any time during ordinary adoption leave or additional adoption leave, provided that he/she gives the appropriate notification. Alternatively, the employee may take his/their full period of adoption leave entitlement and return to work at the end of this period. If the employee wishes to return before the full period of adoption leave has elapsed, he/she must give at least eight weeks' notice in writing to the Council of the date on which he/she intends to return.

The employee has the right to resume working in the same job if returning to work from ordinary adoption leave. If the employee returns to work after a period of additional adoption leave, he/she is entitled to return either to the same job, or if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.

Failure to return to work by the end of adoption leave will be treated as an unauthorised absence unless the employee is sick and produces a current medical certificate before the end of the adoption leave period.

If the employee decides during adoption leave that he/she does not wish to return to work, he/she should give written notice of resignation to Llantwit Fardre Community Council as soon as possible and in accordance with the terms of his/their contract of employment.

Transfer of adoption leave

If an employee proposes to return to work by giving proper notification, his/their spouse, civil partner or partner may be eligible to take as additional paternity leave (and additional statutory paternity pay) once he/she has returned to work.

The earliest that additional paternity leave may commence is 20 weeks after the adopted child's placement and it must end no later than 12 months after the date of placement. The minimum period of additional paternity leave is two consecutive weeks and the maximum period is 26 weeks.

Further details should be obtained from the employee's spouse's or partner's employer. He/she will be required to submit a written and signed declaration form to that employer, which may also make additional enquiries of the Organisation to verify its employee's entitlement to additional paternity leave and pay.

Policy 5

Alcohol and Drugs Policy

Llantwit Fardre Community Council is committed to ensuring the health, safety and welfare of its employees and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse. This policy applies to all employees and all persons coming onto Llantwit Fardre Community Council premises.

Llantwit Fardre Community Council prohibits the drinking of alcohol by employees in the workplace or on Council business other than reasonable drinking of alcohol in connection with approved social functions. The Council regards drinking to an 'unreasonable level' as any of the following situations:

- The individual is over the legal limit stipulated for driving (i.e. 35mcg/100ml of breath alcohol concentration);
- In the opinion of management, the individual's performance is impaired. This may be at less than the legal limit stipulated for driving;
- In the opinion of management, the individual's behaviour may cause embarrassment, distress or offence to others;
- The individual continues to drink when instructed to stop by a manager.

Llantwit Fardre Community Council will take all reasonable steps to prevent employees carrying out work-related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse.

Llantwit Fardre Community Council expressly prohibits the use of any illegal drugs or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance. If any such incidents take place on Llantwit Fardre Community Council premises, in Council vehicles or at a Council function, they will be regarded as serious, will be investigated by Llantwit Fardre Community Council, and may lead to disciplinary action and possible reporting to the Police.

Procedure

No employee or other person under the Council's control shall, in connection with any work-related activity:

- report, or endeavour to report, for duty having consumed drugs or alcohol likely to render their unfit and/or unsafe for work;
- consume or be under the influence of drugs or alcohol whilst on duty [unless, in the case of alcohol, with the agreement of line management for the purposes of official Council entertaining];
- store drugs or alcohol in personal areas such as lockers and desk drawers;
- attempt to sell or give drugs or alcohol to any other employee or other person on Llantwit Fardre Community Council premises.

Employees must inform the line manager regarding any prescribed medication that may have an effect on their ability to carry out their work safely, and must follow any instructions subsequently given. Drugs that cause drowsiness must not be used whilst at work.

Any employee suffering from drug or alcohol dependency should declare such dependency, and the Council will subsequently provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence. (Failure to accept help or continue with treatment will render the employee liable to normal disciplinary procedures.)

Policy 6

CONDUCT AT WORK

Agreed standards of conduct, punctuality and attendance must be observed. Offenders will be subject to disciplinary action, see Llantwit Fardre Community Council's Disciplinary Procedure.

You are expected to conduct yourself in a sober, temperate, respectful and civil manner when going about your duties. This applies in your dealings with your colleagues, management, service users or any other person having dealings with your employer. You are to promote the interests of our business and the good reputation of Llantwit Fardre Community Council.

Behaviour

Llantwit Fardre Community Council insists on the highest standard of behaviour at all times, always bearing in mind that you are the best advertisement the Council has. Irrespective of circumstances, your first duty is to give immediate attention to the residents

Smoking

As Llantwit Fardre Community Council operates a no-smoking policy there are no formal designated smoking breaks during the working day and no smoking on the Council's premises. If employees have to smoke they should do so only in designated smoking areas.

Timekeeping

Llantwit Fardre Community Council insists on punctuality at all times. We understand that there is always the exceptional occasion where someone is late for work. If for any reason you are unable to reach work at the recognised time of starting, you should report as soon after this time as possible. If you are going to be late for any reason, please telephone as soon as possible and explain the circumstances. Disciplinary action will be considered against employees who fail to meet the Council's standards of timekeeping, punctuality and attendance.

Conduct / Behaviour - Outside of Working Hours

All colleagues are representatives of Llantwit Fardre Community Council, and are expected to behave in a professional and respectful manner, both inside and outside of work hours, e.g. attending office parties, or indeed at any work-related social event.

Off duty misconduct is a legitimate Council's concern and if a clear link is established between the business interests of the Council and mis-behaviour then you may be subject to serious disciplinary action which may lead to your dismissal.

DRESS AT WORK

Clothing

Staff should dress appropriately at all times. Manual Operatives are to wear the uniform provided.

In respect of outside meetings members of staff will take a common sense approach to wearing clothes which reflect the occasion and portray a professional image of the organisation.

Footwear

Health and Safety. Shoes must provide adequate protection and be suitably smart. Llantwit Fardre Community Council will not be responsible for injuries resulting from the wearing of inappropriate footwear and reserves the right to request individuals to refrain from wearing footwear that is considered to be dangerous or unsuitable.

Personal Freshness

Day-long freshness is important to all we meet in our daily job. The nature of your work requires you to give this matter careful attention. It is your responsibility to ensure the highest standards of personal hygiene and freshness are maintained.

Policy 7

Dignity at work

Llantwit Fardre Community Council is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

Harassment and bullying can have very serious consequences for individuals and the Llantwit Fardre Community Council. Harassment or bullying may make people unhappy, may cause them stress and affect their health and family and social relationships, may affect their work performance and could cause them to leave their job. Effects on the Council can include loss of morale, poor work performance, increased turnover of staff, legal claims and damage to Llantwit Fardre Community Council's reputation.

Llantwit Fardre Community Council will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be investigated and, if appropriate, disciplinary action will be taken. Llantwit Fardre Community Council will also not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.

The scope of this policy

This policy covers bullying and harassment of and by Councillors, managers, employees, contractors, agency staff and anyone else engaged to work at Llantwit Fardre Community Council, whether by direct contract with the Council or otherwise. If the complainant or alleged harasser is not employed by the Council, e.g. if the worker's contract is with an agency, this policy will apply with any necessary modifications such as that the Council could not dismiss the worker but would instead require the agency to remove the worker, if appropriate, after investigation and disciplinary proceedings.

The policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. business trips and work-related social events.

What is bullying and harassment?

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power which is meant to undermine, humiliate or injure the person on the receiving end.

Harassment is unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating his or their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to him or their and to have his or their feelings respected by others. Behaviour which any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him or her, e.g. sexual touching. It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first-time conduct which unintentionally causes offence will not be harassment but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him or her.

Harassment may also occur where a person engages in unwanted conduct towards another because he/she perceives that the recipient has a protected characteristic (for example, a perception that he or he/she is gay or disabled), when the recipient

does not, in fact, have that protected characteristic. For example, it would be harassment for an individual to tease repeatedly an individual because of an incorrect belief that that the recipient is deaf. Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom the individual is connected or associated, for example if his/their child is disabled, wife is pregnant or friend is a devout Christian.

Harassment also includes circumstances where an individual is subjected to unwanted conduct from a third party, such as a client or client. For example, it might be that a client makes a series of racist remarks to a black employee. If an employee feels that he/she has been bullied or harassed by clients, suppliers, vendors or visitors, he/she should report any such behaviour to their manager who will take appropriate action. Bullying or harassment of clients, suppliers, vendors or visitors or others will be dealt with through the disciplinary procedure.

A single incident can be harassment if it is sufficiently serious.

All bullying and harassment is misconduct and is a disciplinary offence which will be dealt with under the Council's disciplinary policy. Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice.

Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

Examples of bullying or harassment

Bullying and harassment may be misconduct that is physical, verbal or non-verbal, e.g. by letter or e-mail (so-called "flame-mail").

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- physical conduct ranging from unwelcome touching to serious assault;
- unwelcome sexual advances;

- unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion;
- unwanted nicknames related to a person's age, race or disability;
- the use of obscene gestures;
- excluding an individual because he/she is associated or connected with someone with a protected characteristic, e.g. his/their child is gay, spouse is black or parent is disabled;
- ignoring an individual because he/she is perceived to have a protected characteristic when he/she does not, in fact, have the protected characteristic), e.g. an employee is thought to be Jewish, or is perceived to be a transsexual;
- the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, e.g. magazines, calendars or pin-ups;
- picking on someone or setting their up to fail.

What is victimisation?

Victimisation is subjecting a person to a detriment because he/she has, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing their or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because he/she has made a complaint or giving their a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the Organisation will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

Raising a Complaint

You may be able to sort out matters informally. The person may not know that his or their behaviour is unwelcome or upsetting. An informal discussion may help their to understand the effects of his or their behaviour and agree to change it. You may feel able to approach the person yourself, or with the help of someone in human resources, a manager, trade union representative or another employee. Alternatively, an initial approach could be made on your behalf by one of these people. You should

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tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately. You may want to add that, if the behaviour continues, you intend to make a formal complaint to your manager or human resources. You should keep a note of the date and what was said and done. This will be useful evidence if the unacceptable behaviour continues and you wish to make a formal complaint.

If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using the Council's grievance procedure. In the case of grievances about bullying or harassment, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager, or with the Staffing Committee.

In bringing a complaint of harassment/bullying, the employee should be prepared to state:

- the name of the person whose behaviour he/she believes amounts to harassment or bullying;
- the type of behaviour that is causing offence, together with specific examples if possible;
- dates and times when incidents of harassment or bullying occurred, and where they occurred;
- the names of any employees who witnessed any incidents, or who themselves may have been the victims of harassment or bullying by the same person; and
- any action that the employee has already taken to try to deal with the harassment.

All complaints will be investigated thoroughly, objectively and promptly. The Staffing Committee will assist the Clerk in dealing with complaints of harassment or bullying..

You will have the right to be accompanied by a work colleague or trade union representative of your choice at any meeting dealing with your grievance. You will be kept informed of the general progress of the process of investigation and the outcome of any disciplinary proceedings.

Llantwit Fardre Community Council will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Any employee accused of harassment or bullying will be informed of the exact nature of the complaint against their and afforded a full opportunity to challenge the allegations and put forward an explanation for his/their behaviour in a confidential interview, with a companion present if he/she wishes. No employee will be presumed guilty following an allegation of harassment or bullying against their.

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Llantwit Fardre Community Council reserves the right, at its discretion, to suspend any employee who is under investigation for harassment or bullying for a temporary period whilst investigations are being carried out. Such suspension will be for as short a time as possible and will be on full pay.

Llantwit Fardre Community Council will decide on a balance of probabilities, after considering all available evidence, whether or not harassment or bullying has occurred.

Llantwit Fardre Community Council regards all forms of harassment and bullying as serious misconduct, and any employee who is found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal. In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police. The Clerk can arrange for someone to accompany you to make a complaint to the police.

Making a complaint which you know to be untrue may lead to disciplinary action being taken against you.

Your responsibilities

Every employee is required to assist the Council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, the Council, for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or clients are disciplinary offences and will be dealt with under the Organisation's disciplinary procedure. Conduct of this type will often be gross misconduct which can lead to dismissal without notice.

See also: Equal Opportunity Policy

Grievance Policy

Disciplinary Policy

Dated: Reviewed 11th May 2015
Next review to take place in May 2016

Employment Rights Act 1996 and the Health and Safety at Work Act 1974.

Equality Act 2010

Policy 8

Disciplinary Policy

Introduction

Llantwit Fardre Community Council aims to provide effective policies and procedures and it is good practice for organisations have standard procedures in place to ensure the smooth and efficient operation of their business.

The aim of this policy is to provide guidance to Councillors, managers and staff in respect of disciplinary issues. This policy is applicable to all permanent staff and management employed by Llantwit Fardre Community Council, except those on probation, who are subject to the probation procedure. Temporary employees are subject to the same standards of acceptable conduct but are not considered for progressive discipline as outlined in the formal procedure section of this policy.

The following procedure will be applied fairly in all instances where disciplinary action is regarded as necessary by the Llantwit Fardre Community Council with the exception of circumstances where a minor, informal reprimand is given for any minor act of misconduct committed by an employee.

Llantwit Fardre Community Council reserves the right to implement the procedure at any stage as set out below taking into account the alleged misconduct of an employee. Employees will not ordinarily be dismissed for a first disciplinary offence.

Where time limits are referred to in the course of this procedure they may be varied by agreement between the employee and the Council.

Employees have the right to be accompanied at a formal disciplinary hearing by a fellow worker or trade union official of their choice.

Matters that the Council views as amounting to disciplinary offences include (but are not limited to):

- persistent bad timekeeping;
- unauthorised absence;
- unacceptable levels of absence;
- minor damage to Organisation property;
- failure to observe Organisation procedures;
- abusive, un-cooperative behaviour;
- unreasonable refusal to follow an instruction issued by a manager;
- consistent poor performance, capability; and
- smoking in non-designated areas of the Organisation's premises.

Investigation

A suitable manager will promptly and thoroughly investigate any matter that is reasonably suspected or believed to contravene any of Llantwit Fardre Community Council policies or rules or may otherwise be a disciplinary matter. The employee will be informed as soon as possible as to the fact of an investigation and when it has been concluded.

Depending on the circumstances of the case, the employee may be invited to attend an investigatory interview. If such an interview is held prior to a disciplinary hearing, the employee will be informed at the outset that the interview is an investigatory interview. There is no right for employees to be accompanied at a formal investigatory interview. The Organisation reserves the right to dispense with an investigatory interview and to proceed directly to a formal disciplinary hearing.

Suspension

There may be instances where suspension with pay is necessary while investigations are carried out, e.g. where there are reasonable grounds for concern that evidence may be tampered with, destroyed or witnesses pressurised before the disciplinary hearing, or if there is a potential risk to the business or other employees or third parties in allowing the employee to remain at work. Llantwit Fardre Community Council has the right to suspend with pay for a period of no longer than 2 weeks.

Procedure

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Where, upon completion of an investigation, there are reasonable grounds to believe that an employee has committed an act of misconduct, the employee will be invited to attend a disciplinary hearing before the employee's line manager or manager of a similar level. In the event of poor performance by an employee, disciplinary hearings will usually be undertaken only where counselling of the employee, further training (if appropriate) and verbal warnings have failed to produce a satisfactory improvement to performance.

In the event of a disciplinary hearing taking place the Organisation will:

- give the employee a minimum of two working days' advance notice of the hearing;
- tell the employee the purpose of the hearing and that it will be held under the Council's disciplinary procedure;
- explain the employee's right to be accompanied at the hearing by a fellow worker or trade union official;
- give the employee written details of the nature of his/their alleged misconduct; and
- provide to the employee all relevant information (which should include statements taken from any fellow employees or other persons that the Council intends to rely upon against the employee, which may be anonymous) not less than two working days in advance of the hearing.

Where the employee is unable to attend a disciplinary hearing and provides a good reason for failing to attend, the hearing will be adjourned to another day. The Council will comply with the above in respect of giving notice of the rearranged hearing. Unless there are special circumstances mitigating against it, if the employee is unable to attend the rearranged hearing, the rearranged hearing will take place in the employee's absence. The employee's fellow worker or trade union official may attend in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

Where the chosen companion is unavailable on the day scheduled for the meeting, it will be rescheduled, provided that the employee proposes an alternative time within five working days of the scheduled date.

Role of companion

The employee's chosen companion has the right to address the hearing to put the employee's case, sum up the case and respond on the employee's behalf to any view expressed at the hearing. The companion may also confer with the employee during the hearing. However, there is no requirement for the employer to permit the

companion to answer questions on behalf of the employee, or to address the hearing where the employee indicates that he/she does not wish this.

The disciplinary hearing

A disciplinary hearing will normally be conducted by the employee's line manager/Clerk. The Council's chair of staffing may also attend the hearing, making up the 'disciplinary panel'. Any member of management responsible for the investigation of the disciplinary offence(s) shall not be a member of the panel, although such managers may present any supporting facts and material to the disciplinary hearing. The employee will be entitled to be given a full explanation of the case against their and be informed of the content of any statements provided by witnesses. The employee will be able to call their own witnesses. He/she will be permitted to set out their case and answer any allegations. The employee will be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses. He/she will also be given the opportunity to raise points about any information provided by witnesses. Where the Council intends to call relevant witnesses it will give the employee advance notice of this. The employee must also give advance notice if he/she intends to call relevant witnesses.

Llantwit Fardre Community Council may adjourn the disciplinary proceedings if it appears necessary or desirable to do so (including for the purpose of gathering further information). The employee will be informed of the period of any adjournment. If further information is gathered, the employee will be allowed a reasonable period of time, together with his/their fellow worker or trade union official, to consider the new information prior to the reconvening of the disciplinary proceedings.

As soon as possible after the conclusion of the disciplinary proceedings, the employee's line manager will convey the decision of the panel to the employee and will also inform the employee what disciplinary action, if any, is to be taken. The decision will be confirmed in writing. The employee will be notified of their right of appeal under this procedure.

Disciplinary action

Where, following a disciplinary hearing, the Council establishes that the employee has committed a disciplinary offence the following disciplinary action may be taken:

Oral/Verbal Warning: Where a minor offence or offences have been committed, a recorded oral warning may be given. The warning will ordinarily state that any further misconduct will render the employee liable to further, more severe disciplinary action. The employee should be informed of the period that the warning will remain "live". During this period, the Organisation may rely on such a warning in the event of further misconduct on the part of the employee.

First Written Warning: Where either a more serious disciplinary offence has been committed or further minor offences have been committed by an employee following a recorded oral/verbal warning that remains "live", the employee will receive a first written warning. The warning will:

- set out the nature of the offence committed;
- inform the employee that further misconduct is liable to result in further disciplinary action under this procedure;
- specify the period for which the warning will remain "live", after such period the warning will automatically lapse; and
- state that the employee may appeal against the warning.

Final Written Warning: Where a serious disciplinary offence amounting to gross misconduct has been committed, thereby justifying summary dismissal, but the Organisation decides, after taking into account all appropriate circumstances, that a lesser penalty is appropriate, or, where an employee commits further disciplinary offences after a first written warning has been issued and remains "live", a final (or combined first and final) written warning may be given. Such a warning will:

- set out the nature of the offence committed;
- inform the employee that further misconduct is likely to result in his/their dismissal; and
- state that the employee may appeal against the warning.

'Live' Periods of Warnings: Details of warnings will be recorded on Personnel files and, unless otherwise specified, will normally remain for active consideration for the following period:

VERBAL WARNINGS	3 MONTHS
WRITTEN WARNINGS	6 MONTHS
FINAL WRITTEN WARNINGS	9 MONTHS

Dismissal: Where the employee has committed further acts of misconduct (these being acts of misconduct other than gross misconduct) following a final written warning, the employee may be dismissed with notice or with pay in lieu of notice.

Summary Dismissal: Where the Organisation establishes that an employee has committed an act of gross misconduct, the employee may be summarily dismissed.

Where a final written warning is given to an employee under the above, the Council may also impose on the employee demotion. This sanction may be imposed in conjunction with other forms of disciplinary action, or as an alternative to dismissal.

Appeal

An employee may appeal against any disciplinary sanction imposed against their. The appeal will be heard by the members of the Council who have not been involved in the decision to impose the disciplinary sanction on the employee. The Councils obliged to consider any representations made by the employee, the employee's fellow employee or trade union official and those of the manager who conducted the investigation and the manager who conducted the disciplinary hearing and imposed the disciplinary sanction. The senior manager hearing the appeal must decide on the basis of both sets of representations, together with any subsequent facts that may have come to light, whether or not to uphold the disciplinary sanction. In the event that the senior manager finds for the employee, the senior manager shall allow the appeal and shall remove all records of the disciplinary sanction from the employee's record. In the event that the senior manager does not accept the representations made by or on behalf of the employee, the senior manager must uphold the disciplinary sanction.

When lodging an appeal, the employee should state:

- the grounds of appeal; and
- whether he/she is appealing against the finding that he/she has committed the alleged act or acts of misconduct, or against the level of disciplinary sanction imposed.

The employee must provide written notice of the appeal within five working days of being informed of the disciplinary sanction being imposed against their.

Appeal hearings will normally take place, wherever possible, within 28 days of receipt of the employee's written notice of appeal. Upon completion of the appeal, the Council will convey the decision to the employee. The decision will be confirmed in writing within one week. The Council's decision at the appeal is final.

Where an appeal lies against a dismissal by the panel, the panel's decision to dismiss will have had immediate effect and, therefore, if the dismissal is by notice, the period of notice will already have commenced on the date that the decision was given by the panel. If the panel's decision was to dismiss the employee summarily without notice, the Council will be under no obligation to reinstate or pay the employee for any period between the date of the original dismissal and the appeal decision and the original date of termination will stand. In the event that the panel's decision to dismiss is overturned, the employee will be reinstated with immediate effect and he/she will be paid for any period between the date of the original dismissal and the successful appeal decision. Their continuous service will not be affected.

Gross misconduct

Gross misconduct is misconduct of such a serious and fundamental nature that it breaches the contractual relationship between the employee and the Council. In the event that an employee commits an act of gross misconduct, the Council will be entitled to terminate summarily the employee's contract of employment without notice or pay in lieu of notice.

Matters that the Council views as amounting to gross misconduct include (but are not limited to):

- stealing or unauthorised use of cash or property from the Council, members of staff, tenants, or the public;
- other offences of dishonesty;
- falsification of a qualification that is a stated requirement of the employee's employment or results in financial gain to the employee;
- falsification of records, reports, accounts, expense claims or self-certification forms, whether or not for personal gain;
- sexual misconduct at work;
- fighting with or physical assault on members of staff, tenants or the public;
- deliberate damage to or misuse of the Council property;
- serious damage to Council's property;
- drunkenness or being under the influence of illegal drugs while at work;
- possession, custody or control of illegal drugs on the Council's premises;
- breach of confidentiality;
- serious breach of the Council's rules, including, but not restricted to, health and safety rules and rules on computer use;
- gross negligence;

- conviction of a criminal offence that is relevant to the employee's employment;
- conduct that brings the Council's Organisation's name into disrepute; and
- discrimination or harassment of a fellow worker, tenant or member of the public on the grounds of any protected characteristic.

Other acts of misconduct may come within the general definition of gross misconduct.

Probation Period

New employees who have not completed the probationary period are not subject to the full disciplinary procedure. They are to be managed through the probationary period of six months (in most cases) as detailed in the Probationary Policy (a copy of which is in the Employee Handbook). If they do not meet the standards required by the end of their probationary period, then their appointment will not be confirmed and their probationary period may or not be extended.

See also: Dignity at Work (Bullying & Harassment) Policy

Grievance Policy

Absence Management Policy

Whistleblowing Policy

Internet & Email Policy

Holiday Policy

Conduct & Dress at Work Policy

Policy 9

Discretionary and Other Leave Policy

BEREAVEMENT

An employee who needs to request bereavement leave should contact their line manager at the earliest opportunity. If the employee is unable to contact the manager before he/she needs the bereavement leave to commence, he/she must contact the manager as soon as possible and within 24 hours of the leave commencing.

Llantwit Fardre Community Council will pay employees for time off on bereavement leave up to a maximum of 10 days in a rolling 12 month period. Additional leave may be granted but at the discretion of the Line Manager.

COMPASSIONATE/SPECIAL LEAVE

This leave is time off at times of personal difficulties and other exceptional circumstances and varies according to individual circumstances.

The right to take time off to enable employees to manage unexpected or sudden problems and make any necessary longer-term arrangements applies:

- if a dependant falls ill or has been involved in an accident or assaulted;
- to make longer-term care arrangements for a dependant who is ill or injured;
- to deal with the death of a dependant, for example, making funeral arrangements;
- to deal with an unexpected disruption or breakdown in care arrangements for a dependant, for example, when a childminder is unavailable; or
- to deal with an incident involving an employee's child while he/she is at school.

For these purposes, a "dependant" is an employee's spouse, partner, child, parent or someone who lives with their as part of their family. It does not include tenants,

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boarders or employees living in an employee's family home. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on an employee for assistance. This may be where the employee is the primary carer or the only person who can help in an emergency.

For the avoidance of doubt, the circumstances that might trigger a right to compassionate leave must be unforeseen and/or emergency situations. They would include the death of, or an accident involving, a close family member, a family emergency involving a sick child (where defined as a dependant above) or the unforeseeable absence of a childminder. The Council also has the discretion to permit compassionate leave to be taken in other circumstances where an employee is suffering personal distress.

If an employee knows that time off will be needed, he/she should speak to their line manager about the possibility of taking such time as part of annual leave entitlement.

Requesting Leave

An employee who needs to request compassionate/special leave should contact their line manager at the earliest opportunity. If the employee becomes aware of an emergency situation while at work, he/she should immediately seek the permission of their line manager to leave work early. The employee must explain:

- the nature of the emergency;
- the reason for the absence; and
- how long he/she expects to be absent from work.

If the employee is unable to contact the manager before he/she needs the compassionate leave to commence, he/she must contact the manager as soon as possible, but no later than two hours after their normal start time. In any event, the employee must also give the manager an estimate of the amount of time off that he/she believes will be required. If the employee's line manager is unavailable, he/she must seek permission from an equivalent or more senior manager.

If the emergency is ongoing, the employee must report to the line manager on a daily basis and always at least one hour before their normal start time. At every contact, the employee must update the line manager regarding the reason for ongoing absence and how long it is expected to continue. The employee must inform the line

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manager as soon as possible of any change in the anticipated date of their return to work.

Compassionate leave should be sufficient only to help an employee to cope with an immediate crisis. The employee must actively seek alternative longer-term arrangements for the care of a dependant as soon as possible after the emergency occurs.

If the employee is unable to make alternative arrangements and the emergency is ongoing, he/she must contact the line manager and explain why further absence is required. It is at the absolute discretion of the Council as to whether or not to grant additional compassionate leave. Failure to return from a period of compassionate leave may be treated as a disciplinary matter.

Llantwit Fardre Community Council may pay employees for time off on compassionate leave up to a maximum of 10 days per calendar year. Leave with pay and any additional leave, paid and unpaid, will be at the discretion of the Line Manager. Records of such leave will be kept so as to ensure fair and consistent treatment is given to employees.

JURY SERVICE

Where an employee is called up for jury service he/she should contact a Manager to request time off work. The employee will continue to be paid whilst on jury service at the normal rate of pay, subject to the deduction of any monies received from the court in respect of loss of earnings. If on any day the employee's services are not required at the court he/she shall return to work for that day.

PUBLIC DUTIES

For such activities, employees must seek prior approval from their Line Manager before entering into a commitment which requires time off work.

Where an employee holds a public office or public position, it is the Council's policy to grant up to 10 days paid leave per year so that the employee can perform the duties associated with that position. The employee will not be required to make up for any such time off by working additional hours at another time. Where, however, the amount of time off that the employee requires for public duties becomes excessive, or begins to cause operational difficulties for the Council, the Council has the right to refuse the employee further time off in the immediate future. Alternatively, the

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employee may be permitted to take time off out of their annual holiday entitlement for this purpose.

Employees should provide written notification to their line manager of any dates on which they wish to take time off work for public duties, stating the expected length of their absence. This notification should be provided as far in advance as possible.

RELIGIOUS HOLIDAYS

Subject to reasonable notice being given of holiday dates requested, employees will normally be able to use their holiday entitlement to observe special religious and cultural holidays.

See other policies:

- Holiday Leave
- Disciplinary Policy
- Short-term Sickness Absence
- Maternity Leave
- Paternity Leave
- Adoption Leave
- Parental Leave

Policy 10

Equal Opportunities Policy

Our commitment

Llantwit Fardre Community Council supports the staff and councillors

Llantwit Fardre Community Council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment or to service users.

This policy is intended to assist the Council to put this commitment into practice. Compliance with this policy should also ensure that employees or Councillors do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. The Council has a separate dignity at work policy which deals with these issues.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

Staff should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for

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disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because he/she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients. For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or he/she is suspected of doing so.

However, an employee is not protected from victimisation if he or he/she acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare his or their treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

Llantwit Fardre Community Council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

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Llantwit Fardre Community Council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Council considers it has good reasons, unrelated to any prohibited ground of discrimination, for doing so. The Council will comply with its obligations in relation to statutory requests for contract variations. The Council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Llantwit Fardre Community Council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems which may be identified as a result of the monitoring process.

Llantwit Fardre Community Council cannot lawfully discriminate in the selection of employees for recruitment or promotion, but the Council may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group which the Council identifies as being underrepresented in particular types of job.

Dignity at work

Llantwit Fardre Community Council has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

Clients, suppliers and other people not employed by the Organisation

Llantwit Fardre Community Council will not discriminate unlawfully against clients using or seeking to use facilities or services provided by the Council.

Employees should report any bullying or harassment by clients, suppliers, visitors or others to their manager who will take appropriate action.

Suppliers of goods, facilities and services are subject to scrutiny on their Equal Opportunity practices to ensure that they confirm to a similar standard of best practice, e.g. operate an equal opportunities policy and provide equal opportunities monitoring forms.

Training

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Llantwit Fardre Community Council will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

Llantwit Fardre Community Council will provide training to all existing and new employees and others engaged to work at the Council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment. The Organisation will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

Your responsibilities

Every employee is required to assist Council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, the Council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or clients are disciplinary offences and will be dealt with under the Council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievance

If you consider that you may have been unlawfully discriminated against, you may use the Council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

Llantwit Fardre Community Council will take any complaint seriously and will seek to resolve any grievance which it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and review

Dated: Reviewed 11th May 2015
Next review to take place in May 2016

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This policy will be monitored periodically by the Council to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the Council will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, Council will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

See also: Dignity at Work (Bullying & Harassment) Policy
 Grievance Policy
 Disciplinary Policy
 Recruitment Policy

Policy 11

Expenses Policy

This policy sets out Llantwit Fardre Community Council rules on how employees can claim for expenses incurred in the performance of their duties for the Council. The policy covers travel, meals and accommodation.

The purpose of this policy is to ensure that employees are properly reimbursed for legitimate business expenses and to ensure that these expenses are treated appropriately for tax purposes.

General procedure

Llantwit Fardre Community Council will reimburse you for actual expenditure that is incurred wholly, necessarily and exclusively in connection with authorised duties that you undertake in the course of your employment.

To claim for expenses, you must use the Council's expenses claim forms, available from the finance department. You should set out the reasons why the expense was incurred on the claim form.

Expenses will not be paid unless supporting evidence is provided, together with a completed expenses claim form. This should include original receipts or invoices with the date and time of the transaction (unless you are claiming for mileage). When claiming for travel expenses on public transport, you should enclose the tickets showing the departure point and destination of your journey, where possible. Credit and debit card statements will not be accepted. Where you are submitting a VAT receipt, you should set out the goods and/or services provided.

Once completed and signed, you should submit your expenses claim form to your line manager.

Expenses claims must be submitted within 30 days of the expense being incurred. If this is not practical, approval for any extension will be required from your line manager. The Council reserves the right to withhold any payment where written approval has not been sought.

Llantwit Fardre Community Council may return an expenses claim form to you without payment if it is completed incorrectly or lacks supporting evidence.

Llantwit Fardre Community Council will pay claims for authorised expenses at the end of the month along with your salary

In general, you should not incur expenses other than in the categories listed below. However, if you have claims for expenditure other than for those categories listed below, you should seek approval from your line manager before incurring the expense.

Dated: Reviewed 11th May 2015
Next review to take place in May 2016

Any queries in relation to this policy should be directed the Line Manager.

Travel

Employees and line managers should consider whether or not travel is necessary to meet business objectives or if there are more appropriate means (for example, teleconferencing).

Rail

You may claim for standard class rail fares only. Where possible, rail journeys should be booked well in advance to benefit from any discounts for early booking.

Taxis

You may claim for a taxi fare only in limited circumstances. These are:

- where taking a taxi would result in a significantly shorter travel time than using public transport;
- where there are several employees travelling together; or
- where personal security and safety of employees is an issue, for example taxis may be permitted after 9.30pm.

You must use the Council's appointed taxi firm, as appointed, where possible. Details of the appointed taxi firm are available from the Line Manager.

You must obtain a receipt with details of the date, place of departure and destination of the journey.

Use of your own car

There may be occasions when you need your own vehicle for work purposes. Any use of your own car on Council business is subject to you:

- holding a full UK driving licence;
- ensuring that your car is roadworthy and fully registered; and
- holding comprehensive motor insurance that provides for business use.

Llantwit Fardre Community Council accepts no liability for any accident, loss, damage or claim arising out of any journey that you make on Council business. The Council will not pay for the cost of any insurance policy on your own car.

To claim for fuel expenditure, you should set out the distance of the journey undertaken on your expenses claim form. The Council will reimburse you the mileage allowance rates, as set out from time to time, by NALC

Llantwit Fardre Community Council will pay for tolls, congestion charges and parking costs (excluding any parking fines) incurred, where applicable.

Meals/accommodation

As a guideline for business travel, you should book accommodation equivalent to three-star standard or less. You may book hotel accommodation of up to £80 maximum. It is your responsibility to ensure that any hotel reservations are cancelled within the required cancellation period if they are no longer required.

If you are required to be away from home on Council business, you may claim up to:

- £6 for breakfast (if this is not included in the hotel room rate);
- £6 for lunch;
- £20 for dinner; and

The maximum amounts above are inclusive of drinks.

In the event that you are inviting clients or other business contacts for breakfast, lunch, or dinner to discuss business matters, these maximum rates will not apply. However, where possible, you should obtain prior written approval from your line manager before making any reservations.

You should supply receipts and invoices for all hotel and meal expenses.

Christmas parties/annual events

Any team event such as a Christmas meal or celebration for a team or department will be subject to your team manager's approval, which must be authorised by the Line Manager and Council.

Any Council-wide event hosted by Llantwit Fardre Community Council, such as the Christmas party will be communicated to employees. Please note that, depending on the financial position of the Council, it may, at its discretion, agree to contribute an amount of money towards an event. It is necessary for employees to contribute to their team celebrations or parties, if they wish to attend. Such contributions will not be reimbursable via the expenses procedure.

Expenses that will not be reimbursed

Llantwit Fardre Community Council will not reimburse you for:

- the cost of any travel between your home and usual place of work (except when on call, as set out above);
- the cost of any travel undertaken for personal reasons;
- the cost of any travel for your partner or spouse;
- any fines or penalties incurred while on organisation business for whatever reason, including penalties for not paying for a rail ticket in advance of boarding the train and penalties or fines associated with motoring offences, including speeding or parking fines, clamping or vehicle recovery charges;
- any expenses incurred for personal benefit or to improperly influence or reward a business contact; or

- cash advances or withdrawals from an ATM machine.

You are required to pay for any travel costs incurred by your partner or spouse in the event that he or he/she accompanies you on Council business. Your spouse or partner must have adequate travel insurance for that journey.

False claims

If the Council considers that any expenditure claimed was not legitimately incurred on behalf of the Council, it may request further details from you.

The Council will thoroughly investigate and check any expenses claim as it sees fit. It may withhold payment where insufficient supporting documents have been provided. Where payment has been made to you prior to the discovery that the claim was not legitimate or correct, it may deduct the value of that claim from your salary.

Any abuse of the Council's expenses policy will not be tolerated. This includes, but is not limited to:

- false expenses claims;
- claims for expenses that were not legitimately incurred;
- claims for personal gain;
- claims for hospitality and/or gifts to induce a client or other business contact to take improper action; and
- receipt by you of hospitality and/or gifts from business contacts that may be perceived to influence your judgment.

Llantwit Fardre Community Council will take disciplinary action where appropriate and, in certain circumstances, may treat a breach of this policy as gross misconduct, which may result in your summary dismissal. In addition, the Council may report the matter to the police for investigation and criminal prosecution.

Policy 12

Maternity, Paternity and Adoption Leave (See Separate Policy)

Introduction

This document contains a policy statement (Part One) and procedural guidance (Part Two). The functions of each are set out briefly below.

Part One – Policy Statement. The policy statement sets out the broad framework of principles within which the particular area of work will be carried out. It sets out the organisation's broad style and approach to the issue, including any aims and guiding principles.

Part Two – Procedural Guidance. The procedural guidance sets out the detail staff required to carry out their duties in this particular area of work. It also sets out the specific tasks involved in undertaking this area of work and identifies who is responsible for carrying them out.

Part One – Policy Statement

Aims and Principles

Llantwit Fardre Community Council recognises the importance of supporting members of staff whilst pregnant, as new parents and through adoption processes. The aim of this policy is to ensure all staff are aware of their statutory entitlements and to ensure fair and equitable treatment in line with current legislation.

Pregnant employees have a number of rights:

- Time off for antenatal care – all pregnant employees have the right to take a reasonable amount of time off work for antenatal care, irrespective of their length of service
- Maternity pay – all employees who have at least 26 weeks continuous service calculated as at the end of the 15th week before the week the baby is expected will be entitled 26 weeks full pay followed by 26 weeks nil pay
- Maternity Leave –
 - Ordinary and additional maternity leave: all pregnant employees are entitled to 26 weeks ordinary maternity leave followed by 26 weeks

additional maternity leave, regardless of their hours of work or length of service

- Right to return to work: women who return to work at the end of their ordinary maternity leave have the right to return to the same job. Women who return to work at the end of their additional maternity leave have the right to return to the same job unless this is not reasonably practicable, in which case they have the right to be offered a suitable alternative job under terms and conditions which are no less favourable
- Stillbirth: there is no right to maternity leave if a baby is stillborn within the first 24 weeks of pregnancy but bereavement leave may be agreed by the Line Manager

Part Two - Procedural Guidance for Maternity

Time off for antenatal care: in order to be entitled to take time off for antenatal care you may be required to produce a certificate from your doctor, registered midwife or registered health visitor stating that you are pregnant and giving your expected date of childbirth. If requested, once we have evidence that you are pregnant you will be entitled to take reasonable time off work to attend antenatal appointments, as advised by your doctor, midwife or healthvisitor. You must also produce evidence of your appointment, such as an appointment card, when requested to do so. You should try to give your line manager as much notice as possible of antenatal appointments and wherever possible try to arrange them outside working hours or as near to the start or end of the working day as possible. You will receive full pay for time off for antenatal care and for reasonable travelling time.

Timing of maternity leave: provided you have given Llantwit Fardre Community Council the required notification of your pregnancy (see below) ordinary maternity leave can commence at any time on or after the beginning of the 11th week before your expected week of childbirth, but no later than two weeks before your expected date of childbirth.

Leave may also commence:

- On the first day after the beginning of the 4th week before the expected week of childbirth if you are absent from work due to a pregnancy related illness
- With the birth of your child

In order to make administration as easy as possible, please discuss the timing of your maternity leave with your line manager as early as possible

Notification: in order to be entitled to take maternity leave and receive statutory maternity pay and/or Llantwit Fardre Community Council maternity pay you are required to give your line manager written notification of your intention to take maternity leave no later than the end of the 15th week before your expected week of childbirth. You must state in the notification:

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

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You are advised to use the Maternity Notification form for this purpose; this can be found in Appendix One.

You must also submit a MAT B1 form, signed by your doctor, midwife or health visitor, or other evidence of your expected date of childbirth.

If you subsequently wish to change the start date of your maternity leave you must give 28 days written notice of the revised start date. You are advised to use the Variation to Maternity Leave Start Date form for this purpose; this can be found in Appendix Two.

Within 28 days of receiving your notice of intention to take maternity leave Llantwit Fardre Community Council will write to you confirming the latest date on which you must return to work after your additional maternity leave.

Returning to work after maternity leave: New mothers are prohibited from working or returning to work for 2 weeks after childbirth. This is referred to as compulsory leave. With the exception of the compulsory leave period you may return to work at any time during your maternity leave period. Alternatively you may take your full period of maternity leave entitlement and return to work at the end of this period. While you are on maternity leave you have no need to notify Llantwit Fardre Community Council if you intend to return to work on the due day at the end of your additional maternity leave. However, if you wish to return early, before the end of your additional maternity leave, you must give at least 8 weeks notice in writing to Llantwit Fardre Community Council of the date on which you intend to return. If you fail to do this Llantwit Fardre Community Council may postpone your return. You are advised to use the Notification of Early Return from Maternity Leave form.

If, for any reason, you are unable to return to work by the end of your additional maternity leave you should contact Llantwit Fardre Community Council immediately. Failure to return to work on the due date may be treated as unauthorised absence. If you are unable to return to work because of illness you must submit a self certification or medical certification before the end of your maternity leave period.

If you decide during maternity leave that you do not wish to return to work you should give written notice of your resignation to Llantwit Fardre Community Council as soon as possible and in accordance with the terms of your contract of employment.

Rights during maternity leave: during ordinary maternity leave all of your contractual terms and conditions, with the exception of remuneration, are preserved

During additional maternity leave, whilst you remain an employee of the organisation, most of your contractual rights are suspended. You are not entitled to your salary/wages or company benefits during this period.

Employees are encouraged to take any outstanding holidays due to them before the commencement of ordinary maternity leave. Please discuss this with your line manager at the earliest opportunity.

Keeping-in-touch days: Except during the first two weeks after childbirth, you can agree to work for the Organisation (or to attend training) for up to 10 days during either ordinary maternity leave or additional maternity leave without that work bringing the period of their maternity leave to an end and without loss of a week's SMP. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

Llantwit Fardre Community 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. Any keeping-in-touch days worked do not extend the period of maternity leave. Once the keeping-in-touch days have been used up, you will lose a week's SMP for any week in which you agree to work for the Council.

Health and Safety: Llantwit Fardre Community Council will carry out a risk assessment in circumstances where pregnant employees are exposed to working conditions that may harm the baby. In cases, where for health and safety reasons you are not allowed to continue in your normal job, you will either be offered suitable alternative work (if available) at the same level of pay, or be suspended on medical grounds on full pay until the start of your maternity leave. Such suspension will not affect your other statutory or contractual rights in any way. The risk assessment form is attached at the end of this policy.

If you are absent from work during pregnancy owing to sickness you will receive normal contractual sick pay provided that you have not yet begun ordinary maternity leave. If, however, you are absent from work for a pregnancy related illness after the beginning of the 4th week before your expected date of childbirth the organisation will be entitled to treat this as absence as the beginning of your ordinary maternity leave.

PATERNITY LEAVE

Ordinary Paternity Leave: you may be entitled to take either one or two consecutive weeks ordinary paternity leave (not odd days) if you have:

- Been continuously employed for at least 26 weeks by the 15th week before the expected week of childbirth, or by the week in which an approved adoption agency matches you with a child
- Given notice of your intention to take the leave in or before the 15th week before the expected week of child's birth specifying the expected week of child's birth, length of period you have chosen to take and the date you have chosen the leave to begin
- You must take the leave within 56 days after the first day of the expected week of birth
- You will be paid for this leave for up to 2 weeks at your current rate of pay, without any payment for temporary hours.

Additional Paternity Leave: you may take up to 26 weeks' additional paternity leave within the first year of your child's life provided that the mother has returned to work.

The earliest that additional paternity leave can commence is 20 weeks after the date on which your child is born and it must end no later than 12 months after that date. Additional paternity leave must be taken as a single block in multiples of complete weeks. The minimum period is two consecutive weeks and the maximum period is 26 weeks.

Additional paternity leave will generally commence on your chosen start date specified in your leave notice, or in any subsequent variation notice (see "Notification of additional paternity leave" below).

If you are eligible to receive it, salary may be replaced by statutory paternity pay for some, or all, of the additional paternity leave period, depending on the length and timing of the additional paternity leave.

Employees are encouraged to take any outstanding annual leave due to them before the commencement of additional paternity leave. You are reminded that holiday must be taken in the year that it is earned and you are only allowed to carry over a maximum of 3 days, therefore if the holiday year is due to end during additional paternity leave, it is advisable to take your outstanding entitlement before starting your additional paternity leave.

Eligibility for additional paternity leave

In order to be eligible for additional paternity leave, you must satisfy each of the following criteria:

- You must be the father of the child or married to, the civil partner of, or the partner of, the child's mother, or married to, the civil partner of, or the partner of, the primary adopter, and, in the case of a birth child, expect to have the main responsibility for the upbringing of the child (apart from the mother's responsibility). In the case of adoption, you must have been matched with the child for adoption. In both cases, you must be taking the leave to care for the child.
- You must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which you was notified of having been matched with the child.
- You must remain in continuous employment until the week before the first week of additional paternity leave.

The mother of the child must be entitled to one or more of maternity leave, statutory maternity pay or maternity allowance. The mother must have returned to work.

Notification of additional paternity leave

Where you wish to request additional paternity leave and pay, you must give your line manager eight weeks' written notice of the date on which you wish to take the leave and, if applicable, additional statutory paternity pay to commence. The request form must be in writing and specify, in the case of a birth child, the date on which the child was expected to be born and the actual date of birth. In both cases, the notice must also specify your name and intended start date and end date of additional paternity leave and statutory paternity pay.

Dated: Reviewed 11th May 2015
Next review to take place in May 2016

You must also submit a written and signed self-certification form not less than eight weeks before the proposed start date of additional paternity leave and pay stating that the purpose of the additional paternity leave/statutory paternity pay period is to care for the child and that you satisfy the relationship eligibility conditions for additional paternity leave and pay.

At the same time, the mother or primary adopter must submit a written and signed declaration form stating:

- their name, address and national insurance number;
- the date that he/she intends to return to work;
- that he/she has given notice to their employer of returning to work;
- that he/she is entitled to statutory maternity pay, maternity allowance or statutory adoption pay;
- the start date of their maternity or adoption pay period;
- confirmation that you satisfy the relationship eligibility conditions;
- that he/she consents to the Council processing the information contained in the declaration form; and
- that you are to your knowledge the sole applicant for additional statutory paternity pay and, in the case of a birth child, also that you are to your knowledge the only person exercising the entitlement to additional paternity leave in respect of the child.

On request by the Council, you must produce the name and business address of the mother's or primary adopter's employer and a copy of the child's birth certificate or, in the case of an adopted child, evidence of the name and address of the adoption agency, the date on which you were notified of having been matched with the child and the date on which the agency expects to place the child for adoption. You must supply this information within 28 days of it being requested.

You are permitted to bring forward your additional paternity leave start date, provided that you advise the Organisation in writing at least six weeks before the new start date or, if that is not possible, as soon as reasonably practicable. You may also postpone your additional paternity leave start date, or cancel your additional paternity leave altogether, provided that you advise the Council in writing at least six weeks before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

Additional statutory paternity pay

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Additional statutory paternity pay may be payable during some or all of additional paternity leave, depending on the length and timing of the leave. You are entitled to additional statutory paternity pay if:

- You are the father of the child or married to, the civil partner of, or the partner of, the child's mother, or married to, the civil partner of, or the partner of, the child's primary adopter, and, in the case of a birth child, expects to have the main responsibility for the upbringing of the child (apart from the mother's responsibility) or, in the case of adoption, has been matched with the child for adoption, and in either case intends to care for the child during the additional statutory paternity pay period;
- You have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which he/she was notified of having been matched with the child (the "relevant week");
- You remain in continuous employment until the week before the additional statutory paternity pay period begins;
- Your average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions;
- The mother is entitled to statutory maternity pay or maternity allowance or, in the case of adoption, the primary adopter is entitled to statutory adoption pay, and the mother or primary adopter has returned to work;
- The mother or primary adopter has at least two weeks of your maternity or adoption pay period that remains unexpired; and
- You give proper notification in accordance with the rules set out above.

Any statutory paternity pay due during additional paternity leave will be paid at a rate set by the Government for the relevant tax year, or 90% of your average weekly earnings if this is lower than the Government's set weekly rate.

Statutory paternity pay is payable whether or not the employee intends to return to work after your additional paternity leave.

Where, applicable, pension contributions will continue to be made during the period when the employee is receiving statutory paternity pay but not during any period of unpaid additional paternity leave.

Payment of Enhanced Paternity Pay (EPP): Llantwit Fardre Community Council offers an enhancement to the statutory minimum entitlements who have a minimum of 1 year's continuous service and who meet the Additional Statutory Paternity Pay (ASPP) qualifying criteria.

If you are eligible for EPP you will receive pay equivalent to that of Enhanced Maternity Leave for the same leave period, e.g. Weeks 21 to 26 following the birth of the baby would entitle an employee to enhanced paternity pay of half pay (SMP

topped up to half of normal salary which is determined to be a half of a full week's pay by the actual contractual hours paid in the month immediately prior to the commencement of maternity leave). If ASPP is higher than half pay then ASPP will be paid.

In the event that paternity leave is taken from weeks 26 to 33 following the birth of the baby, the Statutory Additional Paternity Pay rate or 90% of earnings if less than SAPP rate payment will be made on the normal pay day.

Any statutory or enhanced contractual paternity pay is reckonable for pension contributions and subject to the usual deductions.

You must return to work for at least 3 months following your paternity leave in which you received EPP otherwise you will be required to refund all of the enhanced pay (less any ASPP which is not refundable).

Contact during additional paternity leave

Shortly before your additional paternity leave starts, the Organisation will discuss the arrangements to keep in touch during your leave, should you wish to do so. The Organisation reserves the right in any event to maintain reasonable contact with you from time to time during your additional paternity 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 absence.

Keeping-in-touch days during additional paternity leave

You can agree to work for the Council (or to attend training) for up to 10 days during additional paternity leave without that work bringing the period of your additional paternity leave and pay to an end. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

Llantwit Fardre Community Council has no right to require you to carry out any work, and you have no right to undertake any work, during your additional paternity 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. Any keeping-in-touch days worked do not extend the period of additional paternity leave. Once the keeping-in-touch days have been used up, you will lose any further entitlement to statutory paternity pay for any week in which you agree to work for the Council. It may also bring the additional paternity leave period to an end.

Returning to work after additional paternity leave

You will have been formally advised in writing by the Council of the end date of your additional paternity leave. You are expected to return on the next working day after this date, unless you notify the Organisation otherwise. If you are unable to attend work at the end of additional paternity 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.

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

If you decide not to return to work after additional paternity 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 additional paternity leave has ended, the Council may require you to return to work for the remainder of the notice period.

Rights on and after return to work

On resuming work after both ordinary and additional paternity leave (in the latter case where it was an isolated period of leave or taken with certain other types of statutory leave), you are entitled to return to the same job as you occupied before commencing paternity leave on the same terms and conditions of employment as if you had not been absent.

ADOPTION LEAVE&PAY

If you are adopting a child through a registered and recognised adoption agency you will be entitled to Adoption leave and pay. Adoption leave and pay entitlement with Llantwit Fardre Community Council will be as detailed above for Maternity leave and pay and Paternity leave and pay. To qualify for Adoption Leave and pay you must be:

- Newly matched with a child for adoption through an adoption agency
- Have worked for your employer for 26 weeks ending with the week in which you are told of the match with an adoptive child

Other Related Policies:

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- Health & Safety
- Risk Assessment & Management
- Equal Opportunities

Maternity leave timetable

What to do when you are pregnant

Please note that this plan is for guidance purposes so that you can notify the organisation of your intentions.

	Time	Notes	Action
1	At least 15 weeks before your expected week of childbirth	By this time, you should have received a MAT B1 certificate from your doctor or midwife confirming your expected week of childbirth.	Complete the Maternity Notification form and send it together with your MAT B1 certificate to your line manager If you later change your mind about the date you want your maternity leave to start, complete the Variation to Maternity Leave Start Date form and send it to your line manager, giving 28 days notice of the new date.
2	11 weeks before the expected week of childbirth	Maternity leave cannot start earlier than the 11 th week before the expected week of childbirth, unless the birth occurs sooner.	
3	Start of the 3 rd week after the birth	This is the earliest date after the compulsory leave period that you can return to work.	

Maternity leave timetable (cont.)

Dated: Reviewed 11th May 2015
Next review to take place in May 2016

LLANTWIT FARDRE COMMUNITY COUNCIL
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	Time	Notes	Action
4	After compulsory leave period but before the end of additional maternity leave	If you intend to return to work before the end of your additional maternity leave, you must give the company at least 8 weeks written notice	<p>Complete the Notification of Early Return from Maternity Leave form and send it to your line manager</p> <p>If you decide, now or later that you do not want to return to work, you must write to the organisation giving your contractual notice of the termination of your employment.</p>
5	52 weeks' absence	This is the last date when you can return to work	If you are unable return to work, contact the organisation immediately to explain why. If you are ill, you must send in a medical certificate.

Appendix 1

Maternity notification

Note: This form must be submitted no later than the end of the 15th week before your expected week of childbirth.

To	[Name/Job title/address of person to be notified]
Name	
Payroll no	
Project	

I wish to notify the organisation that I am pregnant.

My expected date of childbirth is	
I intend my maternity leave to begin on	
I enclose my form MAT B1	*Yes/No *Delete as appropriate

Signed	
Date	

Appendix 2

Variation to maternity leave start date

Note: This form must be submitted at least 28 days before the proposed revised date for the start of your maternity leave.

To	[Name/Job title/address of person to be notified]
Name	
Payroll no	
Job Title	

I theireby notify the organisation that I wish to change the start date for my maternity leave.

My previously notified start date was	
I now intend to start my maternity leave on	

Signed	
Dated	

Appendix 3

Notification of early return from maternity leave

Note: This form must be submitted at least 8 weeks before the date on which you intend to return to work from maternity leave.

To	[Name/Job title/address of person to be notified]
Name	
Payroll no	
Job title	

I thereby notify the organisation that I wish to return to work before the end of my additional maternity leave.

My date of return will be	
----------------------------------	--

Signed	
Date	

LFCC CHECKLIST FOR RISK ASSESSMENT OF PREGNANT EMPLOYEES / NEW NURSING MOTHERS

EMPLOYEES NAME: _____
WORK: _____

PLACE OF

RISK ASSESSMENT CONDUCTED BY: _____
DATE: _____

<i>FOR PREGNANT EMPLOYEES</i>	<i>FOR NEW AND NURSING MOTHERS</i>
Anticipated date of commencement of maternity leave:	Child's date of birth:
Expected week of childbirth:	Is the employee breast feeding:

ASSESS IDENTIFIED HAZARD	POTENTIAL RISK	IS ACTION REQUIRED (Y/N)	ACTION TO BE TAKEN TO MINIMIZE RISK (Remove / adequately control risk / Offer suitable alternative work where possible / as a last resort, consider suspension with Manager)
CHALLENGING BEHAVIOUR	Dealing with an incident of service user's violent behaviour in / out of the refuge/outreach office may place pregnant employee / new mother at risk of injury.		
MANUAL HANDLING OF SERVICE USERS OR EQUIPMENT WHERE THERE IS A RISK OF INJURY	Pregnant workers are especially at risk from manual handling injury - hormonal changes can affect the ligaments, increasing susceptibility to injury: and postural problems may increase as pregnancy progresses.		
MOVEMENTS AND POSTURES, INCLUDING DRIVING LONG DISTANCES	Fatigue from standing and other physical work has long been associated with miscarriage, premature birth and low weight. Dexterity, agility, co-ordination, speed of movement, reach and balance may also be impaired due to increasing size and an increased risk of accidents may need to be considered.		

<p>EXCESSIVE PHYSICAL OR MENTAL PRESSURE</p>	<p>This may cause stress and give rise to anxiety and raised blood pressure</p>		
<p>BIOLOGICAL AGENTS EG. HEPATITIS, HIV, THEIRPES, TB, CHICKEN, POX, RUEBELLA, TYPHOID</p>	<p>Many biological agents can affect the unborn child if the mother is infected during pregnancy. These may be transmitted through the placenta while the child is in the womb, or during or after birth eg. through breast feeding or through close physical contact between mother and child.</p>		
<p>DISPOSAL OF WASTE (CHEMICAL, CLINICAL AND ANIMAL)</p>	<p>Clinical waste poses a risk of cross-contamination to new/expectant mothers. However, provided safe handling practices are followed, risks of infection are no higher than for other workers.</p>		
<p>EXCESSIVE HOT OR COLD TEMPERATURES</p>			

OTHER ASPECTS OF PREGNANCY THAT MIGHT AFFECT WORK

There are some other aspects of pregnancy which may affect the employee's ability to work normally. Many of these factors will vary as the pregnancy progresses and will therefore need to be reviewed:

ASPECTS OF PREGNANCY	FACTORS IN WORK	IS ACTION REQUIRED? Y/N
MORNING SICKNESS	Early shifts/ nauseating smells	
BACK ACHE	Manual handling / standing / posture	
VARICOSE VEINS	Working in hot conditions	
HAEMORROIDS	Frequent visits to toilet	
INCREASING SIZE	Use of protective clothing: work in confined spaces: manual handling	
TIREDDNESS	Overtime	
OTHER		

Any Other
Comments: _____

Signed (Line Manager) : _____ **Signed:**
(Employee): _____

Ad I Maternity Policy

Policy 13

Flexible Working Policy

Statutory Flexible Working Request

Llantwit Fardre Community Council believes that the promotion of flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity.

The law grants employees who have a minimum of 26 weeks' continuous service and who have parental responsibility for a child under the age of 17 (or 18 where the child is disabled) have the right to request flexible working and to have their request considered seriously by their employer.

Employees who have a minimum of 26 weeks' continuous service and who have caring responsibilities for an adult aged 18 or over who is their spouse, partner or civil partner; a relative; or someone who lives at the same address also have the right to request flexible working.

A "partner" can be the other member of a heterosexual couple who are not married but are living together as if they were husband and wife, or of a same-sex couple who are not civil partners but are living together as if they were.

A 'relative' includes a mother, father, adopter, guardian, special guardian, parent-in-law, step-parent, son, step-son, son-in-law, daughter, step-daughter, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, daughter-in-law, uncle, aunt or grandparent. Adoptive relationships with these relatives are included.

A request for flexible working in this context can include a request for a change to the number of hours the employee works, a request for a change to the pattern of hours worked and a request to perform some or all of the work from the employee's home.

Llantwit Fardre Community Council will take all reasonable steps to accommodate an employee's request for flexible working and will arrange a meeting with the employee within no more than 28 days of receiving their written request. The purpose of the meeting will be to discuss the changes the employee has proposed, the effects of the proposed changes and any possible alternative arrangements that might suit both parties.

Other Flexible Working Requests

Llantwit Fardre Community Council will consider requests from all employees for a change to working hours or pattern of working may be made for a temporary period or on a permanent basis.

If the reason for the employee's request to change their pattern of working is time limited or short term (for example, to care and support a dependant), he/he/she may make a request for flexible working for a defined temporary period. "Temporary period" for the purposes of this policy is regarded as a period between 1 and 3 months. Any agreed changes for a period of longer than 3 months will be regarded as permanent changes to the employee's contract of employment. However, the employee may request further changes or a different pattern of flexible working at any subsequent time, for example if their circumstances change.

Where a request for a permanent change to the employee's working pattern is agreed, the Council reserves the right to impose a trial period, the length of which will be at the manager's discretion but will normally be between 3 and 6 months. The purpose of the trial period will be to establish - from a business and operational perspective - whether or not the new pattern of working is in fact workable in the longer term, taking into account the responsibilities and duties of the employee's job.

In some cases, if the employee's line manager deems it appropriate, a longer trial period may be agreed. Alternatively, a review date may be set at which time the new working arrangements will be reviewed with a view to establishing whether or not the arrangements could be improved or any adjustments may be beneficial.

Under this policy, the Council does not undertake to grant requests for flexible working automatically. This policy gives employees the right to request flexible working and to have the request considered fairly and openly by the Council. It does not entitle employees to have their hours of work or working pattern changed on demand. Nevertheless, the Council

will give fair consideration to all requests and will hold a discussion with the employee making the request to explore fully whether or not granting it is feasible.

Procedure for Requests

Employees who wish to submit a request for flexible working should do so in writing. Information on how to make a request and a standard form are available from Clerk and Executive Officer.

Each request will be dealt with individually, taking into account the likely effects that the proposed changes to working hours or place of work are likely to have on the Council, the work of the department in which the employee making the request is employed and the employee's colleagues.

Agreeing to one employee's request will not therefore set a precedent or create a right for another employee to be granted a similar change to their working pattern.

Llantwit Fardre Community Council reserves the right to reject any particular request for flexible working if, in the opinion of management, the pattern of working requested would not be practicable or workable or if, in management's view, it would create operational difficulties or problems in terms of ensuring that the employee's work is done in a timely and efficient manner. Reasons for rejection may include industry-specific reasons or reasons related to the needs of the Organisation's clients.

Policy 14

Grievance Policy

Introduction

Llantwit Fardre Community Council believes that all employees should be treated fairly and with respect. If you are unhappy about the treatment that you have received or about any aspect of your work, you should discuss this with your line manager, who will attempt to resolve the situation on an **informal** basis. If you feel unable to approach your line manager directly, you should approach another manager or Councillor who will discuss ways of dealing with the matter with you.

Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure. A **formal** grievance should be concerned with the way in which you have been treated by the Council or managers acting on its behalf. If your complaint relates to bullying or harassment on the part of a colleague, the matter should be dealt with under the Dignity At Work: Bullying and Harassment procedure. Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the disciplinary procedure and you will be informed of the outcome.

Grievances may be concerned with a wide range of issues, including the allocation of work, your working environment or conditions, the opportunities that you have been given for career development or the way in which you have been managed.

Complaints that you may have about any disciplinary action taken against you should be dealt with as an appeal under the disciplinary procedure.

Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. Insofar as a grievance has any bearing on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings.

Mediation

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

The Right to be Accompanied

You have the right to be accompanied by a fellow worker or trade union official at any grievance meeting or subsequent appeal. The trade union official need not be an employee of the Council, but if he/she is not a fellow worker or an employee of their union, the Council may insist on him/her being certified by the union as being experienced or trained in accompanying employees at grievance hearings.

The choice of companion is a matter for you, but the Council reserves the right to refuse to accept a companion whose presence would undermine the grievance process. Please note that individual workers are not obliged to agree to accompany you. Companions will be given appropriate paid time off to allow them to accompany colleagues at a grievance hearing or appeal hearing.

At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf. However, both the hearing and appeal hearing are essentially meetings between the employer and you, so any questions put directly to you should be dealt with by you and not your companion.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled, provided that you can propose an alternative time within five working days of the scheduled date.

Conducting the Grievance Procedure

Llantwit Fardre Community Council recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect. The Council will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

Formal Grievance Procedure:

I. Making the Complaint

The first stage of the grievance procedure is for you to put your complaint in writing. This written statement will form the basis of the subsequent hearing and any investigations, so it is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking. If your grievance is unclear, you may be asked to clarify your complaint before any meeting takes place.

Your complaint should be headed "Formal grievance" and sent to your line manager. If your complaint relates to the way in which your line manager is treating you, the complaint may be sent to another member of management.

Further attempts may be made to resolve the matter informally, depending on the nature of your complaint. However, if you are not satisfied with the outcome, you may insist on the matter proceeding to a full grievance hearing.

Before proceeding to a full grievance hearing, it may be necessary to carry out investigations of any allegations made by you, although the confidentiality of the grievance process will be respected. If any evidence is gathered in the course of these investigations, you will be given a copy long enough in advance of the hearing for you to consider your response. In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained to you and an appropriate summary of the evidence gathered will be given to you.

II. The Grievance Hearing

The hearing will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, within 10 working days of the receipt of your written complaint. It will be conducted by your line manager, and may be attended by Councillors. At the meeting, you will be asked to explain the nature of your complaint and what action you feel should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform your line manager

as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

While you will be given every opportunity to explain your case fully, you should confine your explanation to matters that are directly relevant to your complaint. Focusing on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of your complaint. The manager conducting the hearing will intervene if he/he/she thinks that the discussion is straying too far from the key issue. The manager may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of your complaint.

Following the meeting, you will be informed in writing of the outcome within seven working days and told of any action that the Council proposes to take as a result of your complaint. You may discuss this outcome informally with either your manager or another member of management.

If you are dissatisfied with the outcome, you may make a formal appeal.

III. Right to Appeal

Your appeal should be made in writing to the manager who conducted the initial grievance hearing. You should clearly state the grounds of your appeal, i.e. the basis on which you say that the result of the grievance was wrong or that the action taken as a result was inappropriate. This should be done within seven calendar days of the written notification of the outcome of the grievance. An appeal meeting will be arranged to take place within 10 working days of the submission of your formal appeal.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform your line manager of this as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

The appeal hearing will be conducted by the Council or a member of the Staffing committee, who will consider the grounds that you have put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate. The appeal is not a rehearing of the original grievance, but rather a consideration of the specific areas with which you are dissatisfied in relation to the original grievance. The manager conducting the appeal may therefore confine discussion to those specific areas rather than reconsider the whole matter afresh.

Following the appeal meeting, you will be informed of the outcome within seven calendar days. The outcome of this meeting will be final.

See also: Dignity at Work (Bullying & Harassment) Policy
 Disciplinary Policy

Policy 15

Holiday Policy

General

The total number of days that make up the leave entitlement for the organisation is 33 days. This is made up of:

- 21 days annual leave; 1-4 years service
- 28 days annual leave: 5 years + service
- 10 Public/Bank holidays;

Part-time entitlement is calculated for all leave pro rata'd to contractual working hours.

Annual Leave

Llantwit Fardre Community Council holiday year starts from the 1st April to 31st March.

All holiday must be taken during the holiday year in which it is accrued. In exceptional circumstances a maximum of 3 days may be carried over from one holiday year to the next but this can be done only with the prior written approval of the Council. In this case, any holiday carried over must be taken within 2 months of the new holiday year.

All holiday dates must be approved in advance by your line manager. As much notice as possible of proposed holiday dates must be given to your line manager to ensure adequate staffing coverage at all times.

Any request for a holiday period that is:

- Between 1 and 4 days requires a full weeks notice
- More than 4 days requires 2 weeks notice
- More than 3 weeks requires at least 6 weeks notice

Exceptions to the above is at the discretion of the line manager.

Several workers who work within the same team cannot take the same weeks leave.

A holiday planner for all staff members will be displayed in the office.

Holiday pay

Holiday pay is calculated on the basis of an employee's current basic rate of pay (i.e. excluding any overtime, bonuses, etc).

Public and bank holidays

Llantwit Fardre Community Council recognises ten public/bank holidays a year, the dates of which vary from year to year namely: New Year's Day, Good Friday, Easter Monday, Easter Tuesday, May Day, Spring Bank Holiday, Late Summer Holiday, Christmas Eve, Christmas Day, Boxing Day.

All recognised public and bank holidays are permitted as paid holiday in addition to the annual holiday entitlement specified above. The exact dates of public and bank holidays will be notified to all employees at the start of each holiday year.

Holiday entitlement in year of commencement

If you join the Council part way through a holiday year, you will be entitled to a proportion of your holiday entitlement based on the period of your employment in that holiday year rounded up to the nearest half day.

Holiday pay on termination of employment

If you leave the Council's employment part way through a holiday year, you will be entitled to be paid for any accrued annual leave for that holiday year rounded up to the nearest half day that has not been taken by the date of termination.

If, on your date of termination, you have taken paid holiday leave in excess of earned entitlement, you will be required to reimburse the Council (by means of deduction from salary if necessary) in respect of such holiday.

Sickness during holiday

If you should fall sick or is injured while on holiday, the Council will allow you to transfer to sick leave and take replacement holiday at a later time. This policy is subject to the following strict conditions:

- The total period of incapacity must be fully certificated by a qualified medical practitioner;
- You must contact the Council (by telephone if possible) as soon as you know that there will be a period of incapacity during a holiday.

You must submit a written request no later than 5 days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that you wish to take at another time.

If you are overseas when you fall ill or are injured, evidence must still be produced that you were ill by way of either a medical certificate or proof of a claim on an insurance policy for medical treatment received at the overseas location.

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

If you are ill or are injured before the start of a period of planned holiday, the Council will agree to the postponing the holiday dates to another mutually agreed time. Any period of sickness absence will then be treated in accordance with the Council's normal policy on sickness absence. You must submit a written request to postpone the planned holiday and this must be accompanied by a letter from your doctor confirming that you are unfit, or is still likely to be unfit, to take the holiday.

You must request to take any replacement holiday in accordance with the Council's normal holiday policy, and should endeavour to take the replacement holiday in the same holiday year in which it was accrued. The Council may require you to take all or part of your

replacement holiday on particular days and it is not required to provide you with any minimum period of notice to do this, although it will aim to provide reasonable notice.

Holiday entitlement during sick leave

If you are on sick leave you may apply to take your accrued holiday entitlement whilst on sick leave. The holiday dates must be approved in accordance with this policy.

Also refer to:

- Short-term Sickness Absence Policy
- Long-term Sickness Absence Policy

Policy 16

Internet and Email Policy

Introduction

Llantwit Fardre Community Council's computer system contains an e-mail facility, which is intended to promote effective communication on matters relating to the Council's business.

The e-mail system should therefore be used for that purpose only. You have no right to privacy when using the Council's computer system. This means the e-mail system should not be used for spreading gossip or for personal gain or in breach of any of the Council's standard employment policies on issues such as sexual or racial harassment.

Messages sent on the e-mail system are to be written in accordance with the standards of any other form of written communication and the content and language used in the message must be consistent with best Organisation practice.

Messages should be concise and directed to those individuals with a need to know. General messages to a wide group should only be used where necessary and ALWAYS use the blind carbon copy facility (BCC) to protect client confidentiality. Employees should exercise care not to copy emails automatically to all those copied in to the original message to which they are replying. Doing so may result in disclosure of confidential information to the wrong person.

Employees should not attach any files that may contain a virus to emails, as the Council could be liable to the recipient for loss suffered. The Council has virus-checking in place but, if in doubt, employees should check with their line manager. Employees should exercise extreme care when receiving emails with attachments from third parties, particularly unidentified third parties, as these may contain viruses.

Confidential information should not be sent externally and in some cases internally, by e-mail without express authority and unless the messages can be lawfully encrypted.

Legal Action Against the Council

Messages sent over the e-mail system can give rise to legal action against the Council. Claims for defamation, breach of confidentiality or contract could arise from a misuse of the system. It is therefore vital for e-mail messages to be treated like any other form of

correspondence and where necessary hard copies should be retained. You are also reminded that messages are disclosable in any legal action commenced against the Council relevant to the issues set out in the e-mail.

The Council's Rights

Llantwit Fardre Community Council reserves the right to retrieve the contents of all incoming and outgoing messages for the purpose of monitoring whether the use of the e-mail system is legitimate, when employees are off sick or on holiday, to find lost messages or to retrieve messages lost by computer failure, to assist in the investigations of wrongful acts or to comply with any legal obligation.

Llantwit Fardre Community Council reserves the right to monitor email messages sent and/or received and to monitor your usage of the Internet.

Security

If you are given access to the e-mail system you are responsible for the security of your terminal and you must not allow the terminal to be used by an unauthorised person.

You should therefore keep your personal password confidential and change it regularly. When leaving your terminal unattended or on leaving the office you should ensure you log off the system to prevent unauthorised users using your terminal in your absence.

General Rules

Should you receive an e-mail message which has been wrongly delivered to your e-mail address you should notify the sender of the message by redirecting the message to that person but NOT in the case of SPAM which should be deleted immediately. Further in the event the e-mail message contains confidential information you must not disclose or use that confidential information. Should you receive an e-mail which contravenes this policy the e-mail should be brought to the attention of your line manager.

Misuse of the e-mail system in breach of these rules will be treated as misconduct.

Misuse of the e-mail system by transmission of any material in any of the following categories will constitute gross misconduct:

- defamatory;
- offensive or obscene;
- untrue or malicious;
- discriminatory on grounds of race, sex, marital status, disability, sexual orientation, religion or religious belief & philosophical beliefs, age, or other protected characteristic;
- the Council's Confidential Information
- protected copyright material.

Use of internet

Authorised internet users

Where an employee has been provided with a computer with internet access at their desk, he/he/she may use the internet at work for legitimate Council business only. You are

permitted to use the Internet for personal use outside of normal working hours and on lunch break, in accordance with internet use policy.

Sensible internet use

Where employees are allowed access to the internet at work they are expected to use it sensibly and in such a manner that it does not interfere with the efficient running of the Council. For example, where it would be quicker to make a telephone call than to engage in an internet search for the required information, then the telephone call should be made.

Employees may be called upon to justify the amount of time they have spent on the internet or the sites that they have visited.

Llantwit Fardre Community Council encourages employees to become familiar with the internet and does not currently impose any time limitation on work-related internet use. It trusts employees not to abuse the latitude given to them, but if this trust is abused it reserves the right to alter the policy in this respect.

The internet is not to be used to access offensive or illegal material, such as material containing racist terminology or nudity.

Removing internet access

Llantwit Fardre Community Council reserves the right to deny internet access to any employee at work, although in such a case it will endeavour to give reasons for doing so.

Registering on websites

Many sites that could be useful for the Council require registration. Employees wishing to register as a user of a website for work purposes are encouraged to do so. However, they should ask their manager before doing this.

Licences and contracts

Some websites require the Council to enter into licence or contract terms. The terms should be printed off and sent for approval in advance before an employee agrees to them on the Council's behalf. In most cases, there will be no objection to the terms and it is recognised that the free information provided by the website in question may save the Council money. Employees should, however, always consider whether the information is from a reputable source and is likely to be accurate and kept up to date, as most such contract terms will exclude liability for accuracy of free information.

Downloading files and software

Employees should download files on to only those PCs with virus checking software and should check how long the download will take. If there is any uncertainty as to whether the software is virus-free or whether the time the download will take is reasonable, Contact the line manager.

Using other software and hardware at work

Llantwit Fardre Community Council does not allow employees to bring software or hardware into the office without consent and nothing in the email and internet policy modifies the Council's general view on this.

Monitoring of internet access at work

Llantwit Fardre Community Council reserves the right to monitor employees' internet usage, but will endeavour to inform an affected employee when this is to happen and the reasons for it. The Council considers the following to be valid reasons for checking an employee's internet usage if the Council suspects that the employee:

- has been spending an excessive amount of time viewing websites that are not work-related;
- has acted in a way that damages the reputation of the Organisation and/or breaches commercial confidentiality;
- has been viewing offensive or illegal material, such as material containing racist terminology or nudity (although the Council understands that it is possible for employees inadvertently to view such material and they will have the opportunity to explain if this is the case);
- has been spending an excessive amount of time viewing websites that are not work related.

Llantwit Fardre Community Council reserves the right to retain information that it has gathered on employees' use of the internet for a period of one year.

If the Council monitors employees' internet use to ensure that it is in accordance with this policy, access to the web may be withdrawn in any case of misuse of this facility.

If appropriate, disciplinary action may also be taken in line with the Council's disciplinary policy.

General

The aim of these rules is to be helpful, and to set guidelines on the use of email and the internet at work for the smooth and efficient running of the business.

If there is anything in these rules that an employee considers to be unworkable or does not understand, he/he/she should notify their line manager.

Self-employed contractors, agency workers or any other individuals working temporarily in the Council should be made aware of the rules regarding the use of email and the internet.

New members of staff will be shown this policy as part of their induction.

Social Media

As employees are aware, the internet is provided for business use. The Council recognises that many employees use the internet for personal purposes and that many employees participate in social networking on websites such as Facebook, Twitter, MySpace, Bebo and Friendster.

The purpose of this policy is to outline the responsibilities of employees using the internet to access social networking websites.

Personal use of the internet

Llantwit Fardre Community Council does not permit access to social networking websites from its computers at any time.

Personal conduct

Llantwit Fardre Community Council respects an employee's right to a private life. However, the Council must also ensure that confidentiality and its reputation are protected. It therefore requires employees using social networking websites to:

- ensure that they do not conduct themselves in a way that is detrimental to the employer; and
- take care not to allow their interaction on these websites to damage working relationships between members of staff and clients of the Council.

Security and identity theft

Employees should be aware that social networking websites are a public forum, particularly if the employee is part of a "network". Employees should not assume that their entries on any website will remain private. Employees should never send abusive or defamatory messages.

Employees must also be security conscious and should take steps to protect themselves from identity theft, for example by restricting the amount of personal information that they give out. Social networking websites allow people to post detailed personal information such as date of birth, place of birth and favourite football team, which can form the basis of security questions and passwords. In addition, employees should:

- ensure that no information is made available that could provide a person with unauthorised access to the Council and/or any confidential information; and
- refrain from recording any confidential information regarding the Council on any social networking website.

Policy 17

Learning and Development Policy

This policy has been developed in line with the Llantwit Fardre Community Council's overall vision and strategy and reflects a belief in the need to develop all permanent and temporary employees, whether employed on a full-time or part-time basis. It is based on the following principles:

- Llantwit Fardre Community Council thinks of its workforce as an asset as well as a cost, and believes that it should invest in that asset.
- Llantwit Fardre Community Council believes that all its employees have the potential to grow, both in their work role and personally, and it shall endeavour to provide opportunities for this growth.
- Llantwit Fardre Community Council considers it appropriate to base such training and development opportunities on the requirements of the business, and decisions about investment in staff training and development will be made accordingly.
- Llantwit Fardre Community Council believes that responsibility for training and development should be shared between the Council and its workforce.
- Llantwit Fardre Community Council will ensure that appropriate procedures are in place to plan, deliver and evaluate training and development activity.
- Llantwit Fardre Community Council wants to empower its staff members to take some ownership of their own development, with support from their managers and the Council as a whole.
- Llantwit Fardre Community Council believes that its line managers have a key role to play in people development.
- Llantwit Fardre Community Council works within good practice guidelines to ensure that both the quality and quantity of training and development is relevant and "fit for purpose".
- Llantwit Fardre Community Council regularly reviews its overall level of investment in staff training and development to ensure that adequate and appropriate resources are provided.
- Llantwit Fardre Community Council plans its training and development activities in line with industry standards

Training and development initiatives

Llantwit Fardre Community Council provides a range of training and development opportunities to staff. These fall into four broad categories:

Programmes relating to the enhancement of skills for an employee's current position: These include external courses providing technical training.

Health and safety training: This includes courses in manual handling, risk assessment, fire safety, first aid, food and hygiene regulations, etc.

Decisions on the suitability and applicability of programmes will be determined through the performance review process, during which individual training and development needs are identified within a personal development plan. Progress on the acquisition of new skills and knowledge will be monitored throughout this process.

Roles and responsibilities for implementation

Both line managers and employees have a responsibility to implement training and development initiatives. There will be an opportunity to discuss development needs through the performance review process and agree appropriate courses of training or study. Line managers should encourage their staff to undertake relevant programmes. Employees are expected to take up the opportunities provided and report back to their line manager on their applicability once completed.

Line managers have a responsibility to monitor and evaluate the effectiveness of learning for employees who have undergone training and development. Line managers should contact their line manager to give feedback on internal and external training programmes, including their quality and cost effectiveness. Line managers should ensure that employees implement the skills that they have gained through training.

Individual requests for training and development

Employees can request training and development at any time but this will usually be done within the performance review process, as outlined above. Employees should channel requests through their line manager.

Monitoring and evaluating investment in training and development

Llantwit Fardre Community Council firmly believes that it is critical to the success of both the planning and delivery of training and development activities that the resources invested are monitored and the outcomes achieved are measured. The Organisation uses its evaluation findings for future business planning and the planning of continued investment in staff training and development.

Equal opportunities

Decisions relating to training and development should be made fairly and consistently, and equality of opportunity should be provided for all staff in this area.

Policy 18

Organisational Policy

Telephone Calls

Personal telephone conversations are allowed to a limited extent during working hours. However, the use of the Council's telephone should be restricted to emergency use only, and you should get permission from your line manager before you make a call where reasonably practicable.

Mobile Telephones

If you bring a personal mobile telephone to work, you are only permitted to check it periodically. You are permitted to either make or receive personal telephone calls from personal mobiles during the working day, but these should be occasional, e.g. dependant related issues, and with minimal disruption to your working day. Personal calls to and from personal mobiles are allowed during designated breaks.

Lost Property

If you find any unclaimed property on or about the Council's premises, you should hand it to your Manager. Enquiries about losses should be directed to your Manager accordingly. The Council does not accept the responsibility for loss or damage to personal belongings on its property, and you should therefore take appropriate precautions for their safety.

Outside Employment

Although the Council does not prohibit other employment in the employee's spare time, it is to be seen only as a supplementary activity and must be treated as such. In the interests of your wellbeing, work/life balance and in consideration of Working Time Regulations, any such employment should be fully disclosed to the Line Manager.

Employees with outside employment are responsible for ensuring that their total hours of work do not exceed any legal limits, and must keep a record of their hours of work.

Confidentiality

During the course of your employment with the Council, information of a confidential nature will become available to you. The divulging of any confidential information regarding the Council's business or finances to an outside party will be deemed Gross Misconduct.

You must:

- maintain the strictest secrecy with regard to the affairs of the Council,
- refrain from revealing or using confidential information regarding systems and programme design and data for personal gain;
- refrain from using computer equipment and accessing the Internet except for official employer business and when authorised to do so as unauthorised usage could result in damage to the equipment and loss of stored data.
- familiarise yourself with the data protection procedures set down by the Council as a result of the Data Protection Act 1998 and understand that the Organisation is obliged as a consequence to view any breach of these procedures as a serious matter of discipline.

Any breach of these rules could result in the Council's sensitive and confidential data being disclosed to other third parties and any such conduct may render you liable to summary dismissal under the disciplinary procedure.

Legal Action

Employees must notify the Council of any legal action being taken against them, or any criminal proceedings which are brought against them.

Change of Address, Telephone Numbers and Status

If you change your address, telephone numbers, status or personal circumstances (for instance upon marriage, divorce or childbirth) you should notify your manager in order for the Council to maintain accurate records. All telephone number changes, i.e. landline and mobile phones, should be notified to a manager.

Gifts and Gratuities

You must not accept gifts from clients/service users above and beyond what is appropriate – a small gift or card from a client/service user when they leave may be acceptable. Presents when they are in receipt of services will be discouraged as it may raise doubts about favouritism and may be perceived as abuse of power. Staff are expected to use their common sense. If they are unsure then they should discuss the issue with their line manager. Likewise any gift that is offered must be declared.

Policy 19

Parental Leave Policy

Introduction to parental leave

An employee is entitled to up to 13 weeks' unpaid parental leave per child if he/he/she meets one of the following conditions:

- He/he/she is the parent of a child who is under five years of age;
- He/he/she has adopted a child under the age of 18 (the right to parental leave lasts for a period of five years from the date of adoption or until the child's 18th birthday, whichever is the sooner); or
- He/he/she has acquired formal parental responsibility for a child who is under five years of age.

An employee who is the parent or adoptive parent of a child who has been awarded disability living allowance is entitled to up to 18 weeks' unpaid parental leave, which can be taken up to the child's 18th birthday.

To qualify for parental leave, employees must have completed at least one year's continuous service with the Council.

Rights during parental leave

Qualifying employees will be entitled to a maximum of 13 weeks' parental leave to be taken up until the child's fifth birthday (unless the child is adopted or disabled - see above). During parental leave the employee will remain employed, although pay and most contractual benefits will be suspended. The right to accrue statutory holiday entitlement will, however, remain in place. Certain other terms of employment will remain in force, as follows. During parental leave employees will be entitled to the implied obligation of trust and confidence, and any terms and conditions of employment relating to:

- notice of termination;
- redundancy compensation; and
- disciplinary or grievance procedures.

Employees taking parental leave will be bound by the implied obligation of good faith, and any terms and conditions of employment relating to:

- notice of termination;
- disclosure of confidential information;
- the acceptance of gifts or other benefits; and
- participation in any other business.

Conditions of leave

Llantwit Fardre Community Council has adopted the default scheme for the taking of parental leave and the following conditions apply.

An employee may not exercise any entitlement to parental leave unless he/he/she has complied with any request made by the Organisation to produce evidence as to their

entitlement (e.g. parental responsibility or expected responsibility for the child in question; the child's date of birth or date on which placement for adoption began; where the employee is exercising a right in relation to a disabled child, details of the child's entitlement to disability living allowance).

The employee must give proper notice of the period of leave that he/he/she proposes to take. This notice must be given to the Council at least 21 days before the date on which leave is to start and must specify the dates on which the period of leave is to begin and end.

Where the employee is a mother of the child in respect of whom the leave is to be taken and he/he/she requests parental leave to begin when their child is born, their notice must specify the expected week of childbirth and the duration of the period of leave. The employee must give this notice at least 21 days before the expected week of childbirth.

Where the parental leave is in respect of an adopted child and is to begin on the date of the placement, the employee's notice must be given to the Council at least 21 days before the beginning of the week in which the child is to be placed for adoption, or as soon as is reasonably practicable thereafter. It must specify the week in which the placement is expected to occur and the duration of the period of parental leave requested.

Llantwit Fardre Community Council may postpone a period of parental leave (other than where parental leave has been requested immediately after childbirth or immediately after placement for adoption) where the Council considers that its business would be unduly disrupted if the employee were to take leave during the period requested. In such a case, the Council will allow the employee to take an equivalent period of parental leave beginning no later than six months after the commencement of the period originally requested. The Council will give notice in writing of the postponement stating the reason for it and specifying suggested dates for the employee to take parental leave. Such notice will be given no more than seven days after the employee's notice was given to the Council.

Employees may not take parental leave in blocks of less than one week (except in relation to a child who is disabled).

Employees may not take more than four weeks' leave in respect of any individual child in any year. For these purposes a year is the period of 12 months beginning when the employee first becomes entitled to parental leave in respect of the child in question, and each successive period of 12 months beginning on the anniversary of that date.

Return from leave

At the end of parental leave, the employee will be entitled to return to the same job provided that the leave was for a period of four weeks or less (and did not follow on immediately from a period of additional maternity or adoption leave). If the period of parental leave was longer than four weeks (or followed on immediately from a period of additional maternity or adoption leave), then the employee will be entitled to return to the same job or, if that is not practicable, to a similar job that has the same or better status, terms and conditions as the previous job.

Policy 20

Probation Policy

Introduction

The purpose of this policy is to provide managers and staff with guidance in relation to the probationary period policy and procedures for new staff joining the Council.

All new staff joining Llantwit Fardre Community Council will be subject to a six-month probationary period. The probationary review period is designed to ensure that new employees can demonstrate the skills, ability, and behaviour necessary to carry out the job for which they have been recruited, to the standard required.

During the probation period managers will ensure that employees are aware of the standards required from the beginning of their employment and identify any learning and development needs, and required competency and skill levels to provide a thorough overview of the employee's job duties and responsibilities, as outlined in the appropriate job description.

Throughout the probationary period managers will review their employee's technical competence, skills and abilities, attitude/manner/motivation, conduct, timekeeping and attendance on a regular basis.

By the end of the probationary period, the employee must be meeting the required standards, before employment with Llantwit Fardre Community Council is confirmed.

Existing Staff: New Roles and Promotions

Employees transferring into new roles and promotions are also subject to a probationary period. If you have performance problems in this instance, the formal Personal Development Procedure applies.

Management Responsibilities

During the probationary period managers are responsible for ensuring that their employees:

- Are aware of the standards required of them in their role;
- Receive a structured and thorough job and team induction programme;
- Receive relevant learning and development required in relation to their job;
- Are given support and encouragement while adapting to the working environment;
- Assess, monitor and review standards on an ongoing basis;
- Receive equitable treatment;
- Are provided with clear job related objectives and informed of required levels of competence; and
- Understand the ultimate consequences of failure to improve performance to an acceptable level.

Employee Responsibilities

Employees are responsible for working with the manager to identify and work on any personal development and training to remedy the issues at any stage in the probation period. Employees are expected to correct performance deficiencies and sustain these

improvements, not just for the specific period of time such as outlined in one-to-one performance related review meetings.

Factors Affecting the Length of Probation

Sick leave, special leave and previous temporary service do not count towards the probationary period. The dates of the probation period should be adjusted accordingly.

Monitoring Standards

Managers should assess and monitor standards related to performance, attendance, time keeping and conduct of all new employees. These should be assessed during each month of employment at monthly intervals a review meeting will be conducted by the line manager which will review progress being made against job criteria and objectives set. This meeting will be documented and a copy should be provided to the new employee, and a copy retained and held on the personnel file.

Review Meeting:

The employee's progress will be assessed at the review meeting. If the required standard has not been achieved by the agreed date, an extension may be granted. The employee will be informed of when the required performance standard must be achieved by and the extended date. It should be understood that failure to meet the required performance standard could lead to employment being terminated, with one weeks notice.

Time to Improve:

The time frame allowed for improvement should vary according to the nature of the deficiency and will be agreed as a reasonable period.

Extension of Probation Period

Should an employee fail to meet the required standards by the end of their probationary period, managers can consider extension of the probationary period. In these circumstances the line manager and employee will discuss and agree a development plan.

The only circumstances where it may be appropriate to extend the employee's probationary period up to an additional three months is if the employee has not been provided with adequate training, or where the manager feels that the individual will make improvement following a further induction or job specific training.

Confirmation of Appointment

If a probationary period is completed satisfactorily, after six months of service, managers should confirm this to the employee at a set meeting.

Non-Confirmation of Appointment

Where an extension of the probation period does not resolve any outstanding issues with performance, attendance, timekeeping and general conduct, or where the Council determines extension of the probation period is not appropriate the employee may not be confirmed in post. If a decision is proposed not to confirm an employee in post, the decision will be confirmed by the manager to the employee at the earliest opportunity.

Notice Periods During Probationary Period

All appointments of employment are subject to satisfactory completion of a six-month probationary period (or longer if extended), during which time either party (the employee or the employer) may terminate the contract by giving the other one week's notice in writing, without recourse to the Council's full disciplinary procedure.

Policy 21

Recruitment Policy

Recruitment Policy Statement

Llantwit Fardre Community Council recognises its staff as being fundamental to its success. A professional approach to recruitment processes help enable the Council to attract and appoint staff with the necessary skills and attributes to fulfil its strategic aims and support the Council's culture and values.

Llantwit Fardre Community Council is committed to ensuring that the recruitment and selection of staff is conducted in a manner that is systematic, efficient, and effective and promotes equality of opportunity.

Scope of Policy

This policy applies to the recruitment and selection of all staff to the Organisation.

All employees involved at any stage of the recruitment and selection of staff should be aware of and adhere to the contents of this policy. In addition, any external consultants, recruitment agencies or external experts who assist in the recruitment process must act in accordance with this policy. Clerk and Executive Officer is responsible for providing such external parties with this policy prior to their involvement in the recruitment process.

General Principles

- Aims to secure equality of opportunity in all its activities, and in this respect all staff should maintain a positive attitude towards equality of employment;
- If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare this as soon as they are aware of the individuals' application. It would normally be necessary for the member of staff to avoid any involvement in the recruitment and selection process;
- Documentation relating to applicants will be treated with the utmost confidentiality and in accordance to the Data Protection Act (DPA). Applicants will have the right to feedback and to access any documentation held on them in accordance with the DPA.

Preparation for Recruitment

The recruitment and selection process should not commence until a full evaluation of the need for the role has been completed.

Before starting recruitment, the job description for the post and a clearly drafted person specification will be drafted or reviewed to ensure that it is up-to-date and meets the needs of the business. The job description will describe the duties, responsibilities and level of seniority associated with the post, whilst the person specification will describe the type of qualification(s), training, knowledge, experience, skills and competencies required for effective performance of the job.

Obtaining Candidates

Line managers/ Councillors in conjunction with the will also consider whether it is appropriate to post the vacancy in a jobcentre and/or place it in the local press, and/or with an approved employment agency.

Llantwit Fardre Community Council may also forward vacancy adverts to associate organisations that support under-represented groups to attract a diverse range of candidates.

Llantwit Fardre Community Council aims at all times to recruit the person who is most suited to the particular job. Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, experience and skills will be assessed at the level that is relevant to the job.

As part of our commitment to Equal Opportunities the Council requests that all applicants complete a monitoring form which enables the Council to assess its success. The information is collated from the forms, is treated in confidence and is not seen by staff directly involved in the appointment, and stored separately and used only to provide statistics for monitoring purposes.

The Selection Process

The selection process should be transparent, timely and cost effective, equitable and free from conflict of interest.

Candidates will be assessed and short-listed against the selection criteria, based on relevant knowledge, skills, competencies, experience and qualifications to perform the role as outlined in the person specification.

The Council is committed to applying its equal opportunities policy at all stages of recruitment and selection. Short-listing, interviewing and selection will always be carried out without regard to sexual orientation, marital or civil partnership status, colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave or trade union membership.

Any candidate with a disability will not be excluded unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role, having taken into account reasonable adjustments. Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of their disability.

All interviews and assessments for one post will be conducted by the same person(s). The interviewing panel will always include recruiting manager, Chairman and Staffing committee members

Any skills tests (e.g. customer service, computer, literacy/numeracy, etc.) or case study assessments will be directly related to the role and measured against objective criteria. Candidates will be notified of the details of any skills test when they are invited for interview and the selection process.

When conducting recruitment interviews interviewers will ensure that the questions they ask job applicants are not in any way discriminatory or unnecessarily intrusive. The interview will focus on the needs of the job and skills needed to perform it effectively. The choice of appointee will be determined by the view of the interviewer(s). On no account should any job offer be made during or at the end of an interview.

Offers of Employment

It is the Council's practice to seek the successful candidate's consent for it to seek an enhanced Criminal Records Bureau (CRB) check, two written references and to ask for documentary proof of qualifications. In addition, each successful candidate has to provide the appropriate documented evidence of their eligibility to work in the UK, e.g. passport and valid work permits and visas.

Other Related Policies:

- **Equal Opportunities Policy**
- **Probation Policy**

Policy 22

Termination of Employment

Llantwit Fardre Community Council makes provisions for employees when leaving the Council in accordance with statutory requirements.

Giving notice to the Organisation

Should you wish to leave the Council, you are required to submit your notice in writing to your line manager.

The notice we require is:

- 1 week during probation period
- 1 month thereafter

Receiving notice from the Organisation

Llantwit Fardre Community Council is also required to give its employees notice of termination of employment. The notice to be given in this instance differs from the above scale, as it is

based on the employee's length of service. Should it be necessary for the Council to terminate your employment, you will receive the following:

LENGTH OF SERVICE	NOTICE TO BE GIVEN BY ORG'N
During probation period	One (1) week
After probation period and up to four (4) years continuous service	One (1) month
Between four (4) years and twelve (12) years continuous service	One (1) week for each completed year of continuous service, up to a maximum of twelve (12) weeks

The above notice periods are a statutory requirement.

When you leave the Council, you are required to return all Llantwit Fardre Community Council property in your possession, e.g. office and premises keys, mobile phone, laptops, name badge and identification.

Llantwit Fardre Community Council reserves the right at its absolute discretion to make payment in lieu of notice.

Llantwit Fardre Community Council reserves the right to require you not to attend the workplace during the notice period. The contract of employment will remain in force during this period and you are not permitted to take up employment elsewhere during this period.

Summary Termination

If an employee is found guilty of gross misconduct or gross negligence or there is any other grounds justifying immediate dismissal, the Council may terminate employment without notice and the employee will have no claim against the Council in respect of such termination.

Policy 23

Whistle blowing Policy

Introduction

This policy applies to all employees and officers of Llantwit Fardre Community Council. Other individuals performing functions in relation to the Council, such as agency workers and contractors, are encouraged to use it.

It is important to the business that any fraud, misconduct or wrongdoing by workers or officers of the Council is reported and properly dealt with. The Council therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that:

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

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

A worker who makes such a protected disclosure has the right not to be dismissed, or subjected to victimisation, because he/he/she has made the disclosure.

Llantwit Fardre Community Council encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether to raise a concern, he/he/she should discuss the issue with their line manager or a member of Council

Principles

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue.

No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because he/he/she has raised a legitimate concern.

Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure the Council's disciplinary procedure will be used, in addition to any appropriate external measures.

Maliciously making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to Chief Executive Officer, a member of the Co-ordinating Group to an external party.

Procedure

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, he/he/she should use the Council's grievance procedure.

(1) In the first instance, and unless the worker reasonably believes their line manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach their line manager, any concerns should be raised with the worker's line manager. If he/he/she believes the line manager to be involved, or for any reason does not wish to approach the line manager, then the worker should proceed straight to stage 3.

(2) The line manager will arrange an investigation of the matter (either by investigating the matter themselves or immediately passing the issue to the Council). The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be taken into account, and he/he/she will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will start the disciplinary procedure. On conclusion of any investigation, the worker will be told the outcome of the investigation and what the board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

(3) If the worker is concerned that their line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the Council, he/he/she should inform Chairman of the council who will review the investigation carried out, make any necessary enquiries and make their own report.. Any approach to Clerk and Executive Officer or Council will be treated with the strictest confidence and the worker's identity will not be disclosed without their prior consent.

(4) If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, he/he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Local Authority or other regulatory bodies;

- the Office of Fair Trading;
- the Health and Safety Executive;
- the Ombudsman.
- **Policy 24**

Working Hours

Working Hours

The working hours of the Council are:
Outside staff

Monday – Thursday	8.00am – 4.30pm
Friday -	9.00am -1.00pm
Saturday, Sunday & Bank Holidays	Closed with on call rota in operation

Office	
Monday – Thursday	8.30am – 4.00pm
Friday -	9.00am -12.00pm
Saturday, Sunday & Bank Holidays	Closed with on call rota in operation

Full-Time Colleagues

You will be advised of your contracted days and hours of work on commencement of employment.

Flexibility

Flexibility is required of all colleagues owing to the operational needs.

Flexibility may be required in working additional hours and/or additional and alternative duties within the Council which you might be reasonably expected to undertake.

During holiday periods, etc. it may be necessary for you to take over some duties normally performed by colleagues. This flexibility is essential as the type and volume of work is always subject to change, and it allows the organisation to operate efficiently and gain maximum potential from its employees.

Breaks

Employees will only be entitled to a minimum 30 minute break entitlement when the duration of their working day exceeds six (6) hours in any working day. The break must be taken during the 6-hour period and not at the start or end of the working day.

As the Council operates a no-smoking policy there are no formal designated smoking breaks during the working day and no smoking on the premises. If employees have to smoke they should do so only in the designated smoking areas allocated.

See other policies:

- Holiday Policy 15
- Discretionary & Other Leave Policy 09

Policy 25

Maternity, Paternity and Adoption Leave

Introduction

This document contains a policy statement (Part One) and procedural guidance (Part Two). The functions of each are set out briefly below.

Part One – Policy Statement. The policy statement sets out the broad framework of principles within which the particular area of work will be carried out. It sets out the organisation's broad style and approach to the issue, including any aims and guiding principles.

Part Two – Procedural Guidance. The procedural guidance sets out the detail staff required to carry out their duties in this particular area of work. It also sets out the specific tasks involved in undertaking this area of work and identifies who is responsible for carrying them out.

Part One – Policy Statement

Aims and Principles

Llantwit Fardre Community Council recognises the importance of supporting members of staff whilst pregnant, as new parents and through adoption processes. The aim of this policy is to ensure all staff are aware of their statutory entitlements and to ensure fair and equitable treatment in line with current legislation.

Pregnant employees have a number of rights:

- Time off for antenatal care – all pregnant employees have the right to take a reasonable amount of time off work for antenatal care, irrespective of their length of service
- Maternity pay – all employees who have at least 26 weeks continuous service calculated as at the end of the 15th week before the week the baby is expected will be entitled to 26 weeks full, then a further 26 weeks at nil pay.
- Maternity Leave –
 - Ordinary and additional maternity leave: all pregnant employees are entitled to 26 weeks ordinary maternity leave followed by 26 weeks additional maternity leave, regardless of their hours of work or length of service
 - Right to return to work: women who return to work at the end of their ordinary maternity leave have the right to return to the same job. Women who return to work at the end of their additional maternity leave have the right to return to the same job unless this is not reasonably practicable, in which case they

- have the right to be offered a suitable alternative job under terms and conditions which are no less favourable
- Stillbirth: there is no right to maternity leave if a baby is stillborn within the first 24 weeks of pregnancy but bereavement leave may be agreed by the Line Manager

Part Two - Procedural Guidance for Maternity

Time off for antenatal care: in order to be entitled to take time off for antenatal care you may be required to produce a certificate from your doctor, registered midwife or registered health visitor stating that you are pregnant and giving your expected date of childbirth. If requested, once we have evidence that you are pregnant you will be entitled to take reasonable time off work to attend antenatal appointments, as advised by your doctor, midwife or healthvisitor. You must also produce evidence of your appointment, such as an appointment card, when requested to do so. You should try to give your line manager as much notice as possible of antenatal appointments and wherever possible try to arrange them outside working hours or as near to the start or end of the working day as possible. You will receive full pay for time off for antenatal care and for reasonable travelling time.

Timing of maternity leave: provided you have given Llantwit Fardre Community Council the required notification of your pregnancy (see below) ordinary maternity leave can commence at any time on or after the beginning of the 11th week before your expected week of childbirth, but no later than two weeks before your expected date of childbirth.

Leave may also commence:

- On the first day after the beginning of the 4th week before the expected week of childbirth if you are absent from work due to a pregnancy related illness
- With the birth of your child

In order to make administration as easy as possible, please discuss the timing of your maternity leave with your line manager as early as possible

Notification: in order to be entitled to take maternity leave and receive statutory maternity pay and/or LLANTWIT FARDRE COMMUNITY COUNCIL maternity pay you are required to give your line manager written notification of your intention to take maternity leave no later than the end of the 15th week before your expected week of childbirth. You must state in the notification:

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

You are advised to use the Maternity Notification form for this purpose; this can be found in Appendix One.

You must also submit a MAT B1 form, signed by your doctor, midwife or health visitor, or other evidence of your expected date of childbirth.

If you subsequently wish to change the start date of your maternity leave you must give 28 days written notice of the revised start date. You are advised to use the Variation to Maternity Leave Start Date form for this purpose; this can be found in Appendix Two.

Within 28 days of receiving your notice of intention to take maternity leave LLANTWIT FARDRE COMMUNITY COUNCIL will write to you confirming the latest date on which you must return to work after your additional maternity leave.

Any such 'Keeping in touch' days will be by agreement between you and your line manager. You are not obliged to work on any 'keeping in touch' days if you do not wish to do so and LLANTWIT FARDRE COMMUNITY COUNCIL is not obliged to offer you any such days. These 'Keeping in touch' days can also be used to ease the transition back into work towards the end of maternity leave if agreed between yourself and your line manager.

Returning to work after maternity leave: New mothers are prohibited from working or returning to work for 2 weeks after childbirth. This is referred to as compulsory leave. With the exception of the compulsory leave period you may return to work at any time during your maternity leave period. Alternatively you may take your full period of maternity leave entitlement and return to work at the end of this period. While you are on maternity leave you have no need to notify LLANTWIT FARDRE COMMUNITY COUNCIL if you intend to return to work on the due day at the end of your additional maternity leave. However, if you wish to return early, before the end of your additional maternity leave, you must give at least 8 weeks notice in writing to LLANTWIT FARDRE COMMUNITY COUNCIL of the date on which you intend to return. If you fail to do this LLANTWIT FARDRE COMMUNITY COUNCIL may postpone your return. You are advised to use the Notification of Early Return from Maternity Leave form for this purpose; this can be found in Appendix Three.

If, for any reason, you are unable to return to work by the end of your additional maternity leave you should contact LLANTWIT FARDRE COMMUNITY COUNCIL immediately. Failure to return to work on the due date may be treated as unauthorised absence. If you are unable to return to work because of illness you must submit a self certification or medical certification before the end of your maternity leave period.

If you decide during maternity leave that you do not wish to return to work you should give written notice of your resignation to LLANTWIT FARDRE COMMUNITY COUNCIL as soon as possible and in accordance with the terms of your contract of employment.

Rights during maternity leave: during ordinary maternity leave all of your contractual terms and conditions, with the exception of remuneration, are preserved

Employees are encouraged to take any outstanding holidays due to them before the commencement of ordinary maternity leave. Please discuss this with your line manager at the earliest opportunity.

Keeping-in-touch days: Except during the first two weeks after childbirth, you can agree to work for the Organisation (or to attend training) for up to 10 days during either ordinary maternity leave or additional maternity leave.

The Organisation 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. Any keeping-in-touch days worked do not extend the period of maternity leave.

Health and Safety: the organisation will carry out a risk assessment in circumstances where pregnant employees are exposed to working conditions that may harm the baby. In cases, where for health and safety reasons you are not allowed to continue in your normal job, you will either be offered suitable alternative work (if available) at the same level of pay, or be suspended on medical grounds on full pay until the start of your maternity leave. Such suspension will not affect your other statutory or contractual rights in any way. The risk assessment form is attached at the end of this policy.

If you are absent from work during pregnancy owing to sickness you will receive normal contractual sick pay provided that you have not yet begun ordinary maternity leave. If, however, you are absent from work for a pregnancy related illness after the beginning of the 4th week before your expected date of childbirth the organisation will be entitled to treat this as absence as the beginning of your ordinary maternity leave.

PATERNITY LEAVE

Ordinary Paternity Leave: you may be entitled to take either one or two consecutive weeks ordinary paternity leave (not odd days) if you have:

- Been continuously employed for at least 26 weeks by the 15th week before the expected week of childbirth, or by the week in which an approved adoption agency matches you with a child
- Given notice of your intention to take the leave in or before the 15th week before the expected week of child's birth specifying the expected week of child's birth, length of period you have chosen to take and the date you have chosen the leave to begin
- You must take the leave within 56 days after the first day of the expected week of birth

- You will be paid for this leave for up to 2 weeks at your current rate of pay, without any payment for temporary hours.

Additional Paternity Leave: you may take up to 26 weeks' additional paternity leave within the first year of your child's life provided that the mother has returned to work.

The earliest that additional paternity leave can commence is 20 weeks after the date on which your child is born and it must end no later than 12 months after that date. Additional paternity leave must be taken as a single block in multiples of complete weeks. The minimum period is two consecutive weeks and the maximum period is 26 weeks.

Additional paternity leave will generally commence on your chosen start date specified in your leave notice, or in any subsequent variation notice (see "Notification of additional paternity leave" below).

If you are eligible to receive it, salary may be replaced by statutory paternity pay for some, or all, of the additional paternity leave period, depending on the length and timing of the additional paternity leave.

Employees are encouraged to take any outstanding annual leave due to them before the commencement of additional paternity leave. You are reminded that holiday must be taken in the year that it is earned and you are only allowed to carry over a maximum of 3 days, therefore if the holiday year is due to end during additional paternity leave, it is advisable to take your outstanding entitlement before starting your additional paternity leave.

Eligibility for additional paternity leave

In order to be eligible for additional paternity leave, you must satisfy each of the following criteria:

- You must be the father of the child or married to, the civil partner of, or the partner of, the child's mother, or married to, the civil partner of, or the partner of, the primary adopter, and, in the case of a birth child, expect to have the main responsibility for the upbringing of the child (apart from the mother's responsibility). In the case of adoption, you must have been matched with the child for adoption. In both cases, you must be taking the leave to care for the child.
- You must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which you was notified of having been matched with the child.
- You must remain in continuous employment until the week before the first week of additional paternity leave.

The mother of the child must be entitled to one or more of maternity leave, statutory maternity pay or maternity allowance. The mother must have returned to work.

Notification of additional paternity leave

Where you wish to request additional paternity leave and pay, you must give your line manager eight weeks' written notice of the date on which you wish to take the leave and, if applicable, additional statutory paternity pay to commence. The request form must be in writing and specify, in the case of a birth child, the date on which the child was expected to be born and the actual date of birth. In both cases, the notice must also specify your name and intended start date and end date of additional paternity leave and statutory paternity pay.

You must also submit a written and signed self-certification form not less than eight weeks before the proposed start date of additional paternity leave and pay stating that the purpose of the additional paternity leave/statutory paternity pay period is to care for the child and that you satisfy the relationship eligibility conditions for additional paternity leave and pay.

At the same time, the mother or primary adopter must submit a written and signed declaration form stating:

- their name, address and national insurance number;
- the date that he/he/she intends to return to work;
- that he/he/she has given notice to their employer of returning to work;
- that he/he/she is entitled to statutory maternity pay, maternity allowance or statutory adoption pay;
- the start date of their maternity or adoption pay period;
- confirmation that you satisfy the relationship eligibility conditions;
- that he/he/she consents to the Organisation processing the information contained in the declaration form; and
- that you are to your knowledge the sole applicant for additional statutory paternity pay and, in the case of a birth child, also that you are to your knowledge the only person exercising the entitlement to additional paternity leave in respect of the child.

On request by the Organisation, you must produce the name and business address of the mother's or primary adopter's employer and a copy of the child's birth certificate or, in the case of an adopted child, evidence of the name and address of the adoption agency, the date on which you were notified of having been matched with the child and the date on which the agency expects to place the child for adoption. You must supply this information within 28 days of it being requested.

You are permitted to bring forward your additional paternity leave start date, provided that you advise the Organisation in writing at least six weeks before the new start date or, if that is not possible, as soon as reasonably practicable. You may also postpone your additional paternity leave start date, or cancel your additional paternity leave altogether, provided that you advise the Organisation in writing at least six weeks before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

Additional statutory paternity pay

Additional statutory paternity pay may be payable during some or all of additional paternity leave, depending on the length and timing of the leave. You are entitled to additional statutory paternity pay if:

- You are the father of the child or married to, the civil partner of, or the partner of, the child's mother, or married to, the civil partner of, or the partner of, the child's primary adopter, and, in the case of a birth child, expects to have the main responsibility for the upbringing of the child (apart from the mother's responsibility) or, in the case of adoption, has been matched with the child for adoption, and in either case intends to care for the child during the additional statutory paternity pay period;
- You have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which he/he/she was notified of having been matched with the child (the "relevant week");
- You remain in continuous employment until the week before the additional statutory paternity pay period begins;
- Your average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions;
- The mother is entitled to statutory maternity pay or maternity allowance or, in the case of adoption, the primary adopter is entitled to statutory adoption pay, and the mother or primary adopter has returned to work;
- The mother or primary adopter has at least two weeks of your maternity or adoption pay period that remains unexpired; and
- You give proper notification in accordance with the rules set out above.

Any statutory paternity pay due during additional paternity leave will be paid at a rate set by the Government for the relevant tax year, or 90% of your average weekly earnings if this is lower than the Government's set weekly rate.

Statutory paternity pay is payable whether or not the employee intends to return to work after your additional paternity leave.

Where, applicable, pension contributions will continue to be made during the period when the employee is receiving statutory paternity pay but not during any period of unpaid additional paternity leave.

Payment of Enhanced Paternity Pay (EPP): **LLANTWIT FARDRE COMMUNITY COUNCIL offers an enhancement to the statutory minimum entitlements who have a minimum of 1 year's continuous service and who meet the Additional Statutory Paternity Pay (ASPP) qualifying criteria.**

If you are eligible for EPP you will receive pay equivalent to that of Enhanced Maternity Leave for the same leave period, e.g. Weeks 21 to 26 following the birth of the baby would entitle an employee to enhanced paternity pay of half pay (SMP topped up to half of normal salary which is determined to be a half of a full week's pay by the actual contractual hours paid in the month immediately prior to the commencement of maternity leave). If ASPP is higher than half pay then ASPP will be paid.

In the event that paternity leave is taken from weeks 26 to 33 following the birth of the baby, the Statutory Additional Paternity Pay rate or 90% of earnings if less than SAPP rate payment will be made on the normal pay day.

Any statutory or enhanced contractual paternity pay is reckonable for pension contributions and subject to the usual deductions.

You must return to work for at least 3 months following your paternity leave in which you received EPP otherwise you will be required to refund all of the enhanced pay (less any ASPP which is not refundable).

Contact during additional paternity leave

Shortly before your additional paternity leave starts, the Organisation will discuss the arrangements to keep in touch during your leave, should you wish to do so. The Organisation reserves the right in any event to maintain reasonable contact with you from time to time during your additional paternity 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 absence.

Keeping-in-touch days during additional paternity leave

You can agree to work for the Organisation (or to attend training) for up to 10 days during additional paternity leave without that work bringing the period of your additional paternity leave and pay to an end. 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 Organisation has no right to require you to carry out any work, and you have no right to undertake any work, during your additional paternity 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. Any keeping-in-touch days worked do not extend the period of additional

paternity leave. Once the keeping-in-touch days have been used up, you will lose any further entitlement to statutory paternity pay for any week in which you agree to work for the Organisation. It may also bring the additional paternity leave period to an end.

Returning to work after additional paternity leave

You will have been formally advised in writing by the Organisation of the end date of your additional paternity leave. You are expected to return on the next working day after this date, unless you notify the Organisation otherwise. If you are unable to attend work at the end of additional paternity leave due to sickness or injury, the Organisation's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

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

If you decide not to return to work after additional paternity 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 additional paternity leave has ended, the Organisation may require you to return to work for the remainder of the notice period.

Rights on and after return to work

On resuming work after both ordinary and additional paternity leave (in the latter case where it was an isolated period of leave or taken with certain other types of statutory leave), you are entitled to return to the same job as you occupied before commencing paternity leave on the same terms and conditions of employment as if you had not been absent.

ADOPTION LEAVE&PAY

If you are adopting a child through a registered and recognised adoption agency you will be entitled to Adoption leave and pay. Adoption leave and pay entitlement with LLANTWIT FARDRE COMMUNITY COUNCIL will be as detailed above for Maternity leave and pay and Paternity leave and pay. To qualify for Adoption Leave and pay you must be:

- Newly matched with a child for adoption through an adoption agency
- Have worked for your employer for 26 weeks ending with the week in which you are told of the match with an adoptive child

Other Related Policies:

- Health & Safety policy 32
- Risk Assessment & Management
- Equal Opportunities policy 10

Maternity leave timetable

What to do when you are pregnant

Please note that this plan is for guidance purposes so that you can notify the organisation of your intentions.

	Time	Notes	Action
1	At least 15 weeks before your expected week of childbirth	By this time, you should have received a MAT B1 certificate from your doctor or midwife confirming your expected week of childbirth.	<p>Complete the Maternity Notification form and send it together with your MAT B1 certificate to your line manager</p> <p>If you later change your mind about the date you want your maternity leave to start, complete the Variation to Maternity Leave Start Date form and send it to your line</p>

			manager, giving 28 days notice of the new date.
2	11 weeks before the expected week of childbirth	Maternity leave cannot start earlier than the 11 th week before the expected week of childbirth, unless the birth occurs sooner.	
	Start of the 3 rd week after the birth	This is the earliest date after the compulsory leave period that you can return to work	

Maternity leave timetable (cont.)

	Time	Notes	Action
4	After compulsory leave period but before the end of additional maternity leave	If you intend to return to work before the end of your additional maternity leave, you must give the company at least 8 weeks written notice	Complete the Notification of Early Return from Maternity Leave form and send it to your line manager If you decide, now or later that you do not want to return to work, you must write to the organisation giving your contractual notice of the termination of your employment.
5	52 weeks' absence	This is the last date when you can return to work	If you are unable return to work, contact the organisation immediately to explain why. If you are ill, you must send in a medical certificate.

Appendix 1**Maternity notification**

Note: This form must be submitted no later than the end of the 15th week before your expected week of childbirth.

To	[Name/Job title/address of person to be notified]
Name	
Payroll no	
Project	

I wish to notify the organisation that I am pregnant.

My expected date of childbirth is	
I intend my maternity leave to begin on	
I enclose my form MAT B1	*Yes/No *Delete as appropriate

Signed	
Date	

Appendix 2**Variation to maternity leave start date**

Note: This form must be submitted at least 28 days before the proposed revised date for the start of your maternity leave.

To	[Name/Job title/address of person to be notified]
Name	
Payroll no	
Project	

I thereby notify the organisation that I wish to change the start date for my maternity leave.

My previously notified start date was	
I now intend to start my maternity leave on	

Signed	
Dated	

Appendix 3

Notification of early return from maternity leave

Note: This form must be submitted at least 8 weeks before the date on which you intend to return to work from maternity leave.

To	[Name/Job title/address of person to be notified]
Name	
Payroll no	
Project	

I thereby notify the organisation that I wish to return to work before the end of my additional maternity leave.

My date of return will be	
----------------------------------	--

Signed	
Date	

Policy 26

EQUALITY POLICY:

Llantwit Fardre Community Council acknowledges and accepts as the principles and definition of Equality as follows:

- Equality is about even-handedness in the workplace, equality of access, identifying disparity and taking steps to address any incidence.
- Equality is concerned with changing the culture and structure to establish a system which is equally accessible to all members of society whatever their age, ability, gender, race, ethnicity, sexual orientation, religious beliefs or socio/economic status.
- Equality is aimed at ensuring that all people can realise their talents and fulfil their potential.
- Equality empowers individuals to challenge discriminatory behaviour and promote inclusion.

PURPOSE/EQUALITY STATEMENT

‘Llantwit Fardre Community Council is fully committed to the principles of Equality of opportunity for all, and acknowledges that equity is about fairness, equality of access, recognising inequalities and taking steps to resolve them.

Llantwit Fardre Community Council is dedicated to implementing equity, and changing the culture and structure to ensure that it becomes equally accessible to all members of society whatever their age, gender, ability, nationality, race, ethnicity, parental or marital status, sexual orientation, religious or political beliefs or socio/economic status.

Llantwit Fardre community Council accepts that we live in a diverse and changing society, and is aware of its responsibility to challenge any discriminatory procedure and to demonstrate their commitment to the principles and practice of Equality as stated in its Equality Policy.’

Llantwit Fardre Community Council will ensure that everyone who becomes a member will have equal opportunity to participate in Community Council issues in their role as administrator or Community Councillor, or volunteer.

COMMITMENT TO ACTION

Llantwit Fardre Community Council will acknowledge Equality through the implementation of its equality action plan. Equality will be reflected in all areas of The Llantwit Fardre Community Council which will be reflected in the equality action plan.

Llantwit Fardre Community Council will distribute this policy to all employees, and officials through its website, documents and mailings. The Policy will be a live document and will be monitored and reviewed regularly.

Volunteers

All volunteers, will be expected to:

- Adopt, promote and practice the values of the Llantwit Fardre Community Council.
- Ensure that participation can be enjoyed by all practitioners.
- Provide relevant and appropriate experiences, which celebrate and value the diversity of the participants.

DISCRIMINATION/ HARASSMENT & VICTIMISATION

Discrimination can take the form of any of the following examples, but is not necessarily restricted to only those examples:

Direct Discrimination

This could be apparent by treating someone less favourably than you would treat others in the same circumstance for any reason.

Indirect Discrimination

This occurs when a requirement or condition is applied equally to a group which has a disproportionate and detrimental effect on one sex or racial group because fewer of that group can comply with it and the requirement cannot be justified in relation to the situation.

Harassment

Harassment can be described as inappropriate actions, behaviour, comments or physical contact, emails etc., that is objectionable or causes offence or stress to the recipient. It may be of a sexual or racial nature or it may be directed towards people because of their age, their sexuality, a disability, or some other element. Such behaviour is never acceptable and neither is it excused on the grounds that the harasser did not intend to cause offence.

Victimisation

Victimisation can be described as when a person is treated less favourably than others because he or he/she has provided information about discrimination, harassment or inappropriate behaviour.

Llantwit Fardre Community Council considers discrimination, harassment or victimisation as serious misconduct. Any employee, member or volunteer who discriminates against, harasses or victimises any other person will be liable to appropriate disciplinary action. All Llantwit Fardre Community Council members have a responsibility to challenge any discriminatory behaviour and to foster equality of opportunity.

IMPLEMENTATION

All of the Llantwit Fardre Community Council recruitment and membership material will include the equality policy statement.

This policy document will be available to all employees, members and volunteers.

All employees, members and volunteers have the responsibility to respect, act in accordance with the intentions of this policy and thereby uphold and promote the Llantwit Fardre Community Council.

COMMUNICATION

Llantwit Fardre community Council will communicate this policy to all its members and volunteers electronically and via website documents.

At time of review all members, volunteers and employees will be able to be part of the evaluation process through the Llantwit Fardre Community Council Annual General Meeting or at a specified General Meeting.

- Llantwit Fardre Community Council is fully committed to the principles of equality of opportunity and is responsible for ensuring that no job applicants, employees, workers, office holders, volunteers, participants or members (together "Stakeholders") are unlawfully discriminated against because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (together the "Protected Characteristics").

Legal Requirements

- Llantwit Fardre Community Council is required by law not to unlawfully discriminate against its Stakeholders and recognises its legal obligations under, and will abide by the requirements of, the Equality Act 2010, and any equivalent legislation (as amended) in any UK jurisdiction, Jersey, Guernsey or the Isle of Man and any later amendments to such legislation or subsequent equality related legislation that may be relevant to Llantwit Fardre Community Council.
- Llantwit Fardre Community Council will seek advice each time this Policy is reviewed to ensure it continues to reflect the current legal framework and good practice.

MONITORING & EVALUATION

Llantwit Fardre Community Council undertakes to monitor and evaluate the success of the policy on a regular basis and will review the policy in line with other Llantwit Fardre Community Council policies and procedures.

Policy 27

HARASSMENT AND BULLYING POLICY

1.1 Llantwit Fardre Community Council recognises that all employees/volunteers have a right to work in an environment in which the dignity of individuals is respected and which is free from harassment and bullying. It is committed to eliminating intimidation in any form.

1.2 The Policy applies to harassment on the grounds of disability, gender, marital status, sexual orientation, age, creed, colour, race or ethnic origin.

1.3 Harassment breaches the Community Council's Equality Policy and it is classified as a serious offence which may result in summary dismissal under the Disciplinary Procedure.

1.4 The Policy applies to all staff and volunteers employed by the Community Council.

2. DEFINITION

2.1 Harassment has no definition in law but is generally described as "unwanted conduct which affects the dignity of women or men at work; it encompasses unwelcome physical, verbal or non-verbal behaviour which denigrates or ridicules or is "intimidatory". The essential characteristic of harassment is that the action(s) is unwanted by the recipient.

2.2 The following interpretations and examples of harassment may be helpful in determining whether harassment has taken place.

• General Harassment

"Harassment can take many forms and may be directed in particular against women and ethnic minorities or towards people because of their age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation. It may involve action, behaviour, comment or physical contact which is found objectionable or which causes offence; it can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating work environment."

• Sexual Harassment

"Sexual harassment can be defined as an uninvited, unreciprocated and unwelcome behaviour of a sexual nature which is offensive to the person involved and causes that person to feel threatened, humiliated or embarrassed. Examples of sexual harassment are:

- requests for sexual favours, including implied or overt promises of preferential treatment or threats concerning present or future employment status;
- offensive gestures or comments;
- sexually-orientated jibes, innuendo or jokes;
- unwanted physical contact;
- the display of sexually offensive visual material such as calendars, photographs, books or videos.

Sexual harassment may be experienced by men or women as a result of the conduct of men or women. It applies equally regardless of grade or level of job and may also occur when dealing with external clients and/or members of the public".

• **Racial or Sectarian Harassment**

"In the workplace, racial or sectarian harassment may take the form of actual or threatened physical abuse or it may involve offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature or offensive remarks about a person's skin colour, physical characteristics or religion. It may also include repeated exclusion of a person from an ethnic or religious minority from conversations, patronising remarks, unfair allocation of work or pressure about the speed and/or quality of their work in a way which differs from the treatment of other employees."

2.3 Bullying is the intimidation or belittling of someone through the misuse of power or position which leaves the recipient feeling hurt, upset, vulnerable or helpless. It is often inextricably linked to the areas of harassment described above.

The following are examples of bullying:

- Unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of others.
- Spreading malicious rumours or making malicious allegations.
- Intimidation or ridicule of individuals with disabilities and /or learning difficulties.
- Ignoring or excluding an individual from the team / group

3. RESPONSIBILITIES OF MANAGERS/LINE MANAGER

3.1 Every manager/line manager has an obligation to prevent harassment / bullying and to take immediate action once it has been identified, whether or not a complaint has been made.

3.2 Allegations of harassment or bullying, received either informally or formally, must be dealt with promptly and sensitively.

3.3 It is important that managers/line managers recognise that sexual harassment is any sexual advance unwanted by the recipient or behaviour which causes offence to the recipient. Similarly, racial harassment is behaviour which is racially offensive to the recipient. Managers/line managers must therefore take care to ensure that they do not pre-judge situations based on their own sexual or racial attitudes and perceptions.

3.4 It may not always be appropriate for a line manager to be involved with specific complaints. For example, if the complainant is male and wishes to speak to a male, but the manager is female, or, if the complaint relates to the conduct of the line manager. The procedure in Section 6 sets out the alternatives for such instances.

4. RESPONSIBILITIES OF ALL EMPLOYEES

4.1 Every employee/volunteer has a personal responsibility **NOT** to harass or bully other members of staff/volunteers.

4.2 An employee/volunteer who becomes aware of harassment or bullying occurring should bring the matter to the attention of his/their manager/line manager / full Council.

5. REDRESS

5.1 An employee/volunteer who feels that he/he/he/she has been harassed or bullied has a right to seek redress via the procedures set out in Section 6.

6. PROCEDURE FOR DEALING WITH HARASSMENT

6.1 An employee/volunteer who feels that he/he/he/she is being subjected to harassment or bullying may attempt to resolve the matter informally in the first instance. In some cases it may be possible and sufficient for him/their to explain clearly to the person(s) engaged in the unwanted activities that the behaviour is unwelcome, that it offends or makes him/their uncomfortable.

- If at the initial informal discussion stage the circumstances are too difficult or embarrassing to approach the harasser alone, the complainant may wish to be accompanied by a friend or colleague;
- the complainant may wish to write a letter to the harasser (research has shown this to be very effective);
- the complainant should keep a record of any incidents, detailing when, where, what occurred, and witnesses (if any);
- in some cases victims of harassment or bullying may not be sufficiently confident to tell the harasser that his or their behaviour is unacceptable. The Community Council emphasises therefore that staff **are not required** to approach the harasser in an attempt to resolve the problem informally, and are entitled to report the matter immediately if they so wish.

6.2 Where the steps outlined in 6.1 above are unsuccessful or inappropriate, the complainant should raise the matter informally and in confidence with his/their manager/line manager. Alternatively, the matter may be raised with the full Council (if felt necessary this could be directly through a member of the same sex as the complainant).

6.3 If the complaint relates to the conduct of the complainant's manager/line manager, the complainant may choose to discuss the matter with his/their manager's line manager – full Council.

6.4 The Manager or appointed HR agent will discuss the matter with the complainant and agree a course of action. The complainant may be accompanied by a representative or work colleague at these meetings. The alleged harasser will also have the right to state their version of events to the manager/line manager and to also be accompanied by a representative or colleague.

6.5 The complainant must be assured that he/he/he/she will not be discriminated against or victimised for raising the complaint. Confidentiality will be observed throughout and the need for any disclosure of the details of the case will be discussed and agreed.

6.6 At any stage of the process the complainant, the manager/line manager,

dealing with the complaint or the accused may feel that they need the help of an independent person before deciding on the best course of action. The Community Council will provide a network of trained persons who can give confidential advice and assistance, including:

- advising on the nature of harassment;
- offering guidance on resolving harassment problems, including acting as an independent broker

These individuals will generally be employees/volunteers of the Council trained in harassment matters, however the Community Council will also maintain an individual who is external to the Community Council should that be more appropriate for the individual who requires assistance. The name and method of contact for these trained individuals can be supplied confidentially from the HR Department / Local Authority.

6.7 If the situation cannot be resolved informally then the complainant has the right to pursue his or their complaint formally via the Community Council's Grievance Procedure.

6.8 Where management/line management consider that there may be evidence of harassment, they may consider it appropriate to undertake a full investigation of the circumstances. In this case a manager/line manager not connected with the department involved, or an individual external to the Community Council will be commissioned to undertake this investigation. Best practice in relation to confidentiality will be maintained during this investigation; and both the complainant and alleged harasser will have the opportunity to have their say. The investigator will also interview and take statements from any appropriate witnesses to the alleged harassment.

6.9 Where there is evidence that harassment has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate. Harassment is a serious offence which may result in summary dismissal.

7. COMMUNICATION

7.1 All staff/volunteers will be informed of the Harassment Policy and Procedure. They must be re-assured regarding:

- fear that others will consider the behaviour trivial and not take complaints of harassment seriously;
- fear that no action will be taken against a person guilty of harassment;
- fear of retaliation or victimisation in registering a complaint either informally or formally through the Grievance Procedure.

7.2 The Harassment and Bullying Policy will be in staff/volunteer induction programmes, with a summary in the Staff/Councillors/volunteer Handbook.

8. TRAINING

8.1 Training will be provided for those employees who have a specific responsibility for implementing the Procedure or who may be involved in dealing with complaints which arise. In particular, training will be provided for the network of advisers referred to above.

9. MONITORING AND REVIEW

9.1 In order to assess the effectiveness of the Procedure, statistics will be maintained in respect of the complaints of harassment. Strict confidentiality will be maintained and the monitoring process will comply with the Data Protection Act.

9.2 The effectiveness of this policy will be reviewed annually.

Policy 28

Display Screen Equipment (DSE) Policy

Computing equipment (Display Screen Equipment, DSE) has become indispensable in the workplace. The majority of our staff use DSE on a regular, day-to-day basis, often for extended periods of time. Thus it is important that they can do so, comfortably, with minimal risk to their health and safety. Incorrectly set up DSE can cause both acute and chronic health problems. The most common being posture (musculoskeletal) problems (including Work Related Upper Limb Disorders), visual fatigue and stress.

Assess your workstation

To reduce the risk of harm, we must ensure that you receive information, supervision and training on using DSE and that an written assessment is made of your DSE equipment and working environment.

If you use DSE for a significant part of the day it is important to assess your workstation. The DSE Assessment is a self assessment, carried out by yourself with the assistance of your manager

Data Protection Policy 29

Introduction

Llantwit Fardre Community Council is fully committed to compliance with the requirements of the Data Protection Act 1998 ("the Act"), which came into force on the 1st March 2000. The Council will therefore follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, partners or other servants of the council who have access to any personal data held by or on behalf of the council, are fully aware of and abide by their duties and responsibilities under the Act.

Statement of policy

In order to operate efficiently, Llantwit Fardre Community Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition, it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Act to ensure this.

Llantwit Fardre Community Council regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the council and those with whom it carries out business. The council will ensure that it treats personal information lawfully and correctly.

To this end the council fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 1998.

The principles of data protection

The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.

The Principles require that personal information:

1. Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met;
2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;

3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;
4. Shall be accurate and where necessary, kept up to date;
5. Shall not be kept for longer than is necessary for that purpose or those purposes;
6. Shall be processed in accordance with the rights of data subjects under the Act;
7. Shall be kept secure i.e. protected by an appropriate degree of security;
8. Shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **"sensitive" personal data**.

Personal data is defined as, data relating to a living individual who can be identified from:

- That data;
- That data and other information which is in the possession of, or is likely to come into the possession of the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

Sensitive personal data is defined as personal data consisting of information as to:

- Racial or ethnic origin;
- Political opinion;
- Religious or other beliefs;
- Trade union membership;
- Physical or mental health or condition;
- Sexual life;
- Criminal proceedings or convictions.

Handling of personal/sensitive information

Llantwit Fardre Community Council will, through appropriate management and the use of strict criteria and controls:-

- Observe fully conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply strict checks to determine the length of time information is held;
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:

- The right to be informed that processing is being undertaken;
- The right of access to one's personal information within the statutory 40 days;
- The right to prevent processing in certain circumstances;
- The right to correct, rectify, block or erase information regarded as wrong information.

In addition, Llantwit Fardre Community Council will ensure that:

- There is someone with specific responsibility for data protection in the organisation;
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- Everyone managing and handling personal information is appropriately trained to do so;
- Everyone managing and handling personal information is appropriately supervised;
- Anyone wanting to make enquiries about handling personal information, whether a member of staff or a member of the public, knows what to do;
- Queries about handling personal information are promptly and courteously dealt with;
- Methods of handling personal information are regularly assessed and evaluated;
- Performance with handling personal information is regularly assessed and evaluated;
- Data sharing is carried out under a written agreement, setting out the scope and limits of the sharing. Any disclosure of personal data will be in compliance with approved procedures.

All elected members are to be made fully aware of this policy and of their duties and responsibilities under the Act.

All managers and staff within the Council will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and in particular will ensure that:

- Paper files and other records or documents containing personal/sensitive data are kept in a secure environment;
- Personal data held on computers and computer systems is protected by the use of secure passwords, which where possible have forced changes periodically;
- Individual passwords should be such that they are not easily compromised.

All contractors, consultants, partners or other servants or agents of the Council must:

- Ensure that they and all of their staff who have access to personal data held or processed for or on behalf of the council, are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Act. Any breach of any provision of the Act will be deemed as being a breach of any contract between the council and that individual, company, partner or firm;
- Allow data protection audits by the council of data held on its behalf (if requested);
- Indemnify the council against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

All contractors who are users of personal information supplied by the council will be required to confirm that they will abide by the requirements of the Act with regard to information supplied by the council.

Implementation

The council will be responsible for ensuring that the Policy is implemented. Implementation will be led and monitored by the Clerk and the Councillors.

- The provision of cascade data protection training, for staff within the council.
- For the development of best practice guidelines.

Policy 30
CoSHH

1. Introduction

This policy sets out how Llantwit Fardre Community Council will comply with the general requirements of the Health and Safety at Work etc. Act 1974 and the more specific requirements of the Control of Substances Hazardous to Health Regulations 2002 (CoSHH). Llantwit Fardre Community Council use chemicals and other hazardous substances during the course of their work. In order that employees and other people who may be affected by exposure to these substances are protected, Llantwit Fardre Community Council will comply with the general requirements of COSHH.

For the purposes of this procedure, hazardous substances include:

- Those that are classed as being dangerous to health under the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (known as CHIP). Many commercial chemicals display a hazard warning label on the packaging in the form of an orange square with a black symbol¹.
- Biological agents directly connected with the work activity (or if the exposure is incidental to the work, for example a poorly maintained air conditioning system).
- Any kind of dust if the levels exceed those set out in the CoSHH regulations. There are exposure limits for all respirable dusts.
- Any other substance that may be hazardous to health but is not covered by CHIP, including some gasses, medicines, pesticides or chemicals produced by chemical reaction.

2. Procedure

A copy of the Material Safety Data Sheet (MSDS) will be held for every product on site which is

identified as harmful. These will be obtained from the supplier or manufacturer.

Leanne Handley Clerk and Executive Officer will review the MSDS to ensure they remain current, usually at the same time as reviewing the main CoSHH assessments.

2.1 Assessment of risk

Llantwit Fardre Community Council will ensure all products which fall into the CoSHH regime are subject to assessment.

Assessments will be conducted *Leanne Handley Clerk and Executive Officer* with advice and input from others as necessary.

Assessments will be conducted using the current CoSHH Assessment Form template.

Assessments will be conducted in accordance with the following programme:

1 *CoSHH excludes those labelled as flammable*

Health and Safety Policies and Procedures

CoSHH

2

Step 1: Determine risks

Assess the extent of the risks which arise. Includes employees, visitors, contractors and other people who may be impacted by the undertaking

Step 2: Prevent and control

Determine what precautions are needed to control risks which have been identified as needing attention.

Step 3: Manage

Ensure that the control measures decided upon in Step 2 are implemented, used by employees and are managed on an ongoing basis

Step 4: Monitor employee exposure

Where the risk assessment determines it appropriate, monitor the exposure of employees to the risk factors and implement health surveillance

Step 5: Emergencies

Prepare plans for dealing with emergencies including accidental contact, spills or fires. Have MSDS to hand for use if needed

Step 6: Train

Where existing qualifications/training are inadequate, arrange for training or instruction in the hazards and use of the product. Have adequate supervision.

Health and Safety Policies and Procedures

CoSHH

2.2 Storage and use of hazardous material

All hazardous materials will be stored in secure ventilated areas.

Care will be taken to ensure that in the event of a spill hazardous mixing does not occur, for example the mixing of a bleach with an acid.

Hazardous material stores will include spill containment and where they are a dedicated room, will not have drainage installed or any drains present will be covered and sealed unless in use. Where hazardous materials are stored in cabinets, etc. any nearby drains will be sealed when not in use.

Spill containment materials such as absorbent granules, socks, etc. will be stored by the hazardous materials for use in the event of a spill.

2.3 Maintenance of systems

Llantwit Fardre Community Council will arrange for periodic inspections and maintenance of all ventilation

systems used a minimum of every 14 months.

The inspection and maintenance visits will be recorded.

CoSHH assessments will be reviewed annually unless there is reason to believe they are no longer valid such as an accident taking place, a process or material being changed, etc. Date of review will be recorded on the assessments.

Policy 31 Public Complaints

Complaints Procedure (Public)

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

2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
 - 3.1. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - 3.2. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council
 - 3.3. complaint against a councillor is received by the council, it will be referred to the Standards Committee of RCT Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of RCT Council.
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
5. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.
7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Complaints Committee of the Council [*or whichever committee has this responsibility*] or to the Council (as appropriate).
8. The Clerk or the Complaints Committee of the Council or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
9. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)
10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Complaints Committee of the Council or to the full Council

(as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

Contacts

The Clerk and Executive Officer

Address: The Parish Hall
Main Road
Church Village
Pontypridd
CF38 1PY

Telephone: 01443 209779

Email: llantwitfardre.council@btconnect.com

The Chairman of Llantwit Fardre Community Council

Address: The Parish Hall
Main Road
Church Village
Pontypridd
CF38 1PY

Telephone: 01443 209779

Policy 32 General Health and Safety Policy

1.1 Llantwit Fardre Community Council undertakes to comply with all statutory health and safety requirements.

1.2 The Council wishes to adopt all other reasonably practicable means to eliminate hazards and reduce the risk of injury to its employees, visitors and contractors, and the risk of damage to its property.

1.3 The Council will ensure resources are made available to provide:-

- a. plant, equipment and systems of work that are safe and without risks to health;
- b. safe arrangements for the use, handling, storage and transport of articles and substances;
- c. a safe place of work with safe access to it and safe egress from it;
- d. a healthy working environment;
- e. adequate welfare facilities and arrangements;
- f. sufficient information, instruction, training and supervision to ensure all employees are aware of the hazards at their workplace together with the necessary measures to be taken to protect against these hazards, if they are at risk;
- g. a monitoring, inspection and auditing procedure to ensure the effective management of health and safety throughout the Council.

2 Policy on the Control of Substances Hazardous to Health

2.1 The Council undertakes to comply with the Control of Substances Hazardous to Health Regulations (1999) made under the Health and Safety at Work Act (1974) and all future statutory requirements concerned with substances hazardous to health.

2.2 The Council wishes to adopt all other reasonably practicable means to eliminate hazards and reduce the risk of injury or damage arising from substances hazardous to health.

Policy 33.

Payments to members of community and town councils

33.1 The Panel has had responsibility for the remuneration of community and town councils since the Measure of 2011 and its first determinations for such members came into effect in the financial year 2013/2014.

33.2 Determinations 46 to 54 are permissive powers, each of which requires a formal decision by each community or town council. Where a community or a town council does make such a decision, it must apply to all its members at the levels determined by the Panel. An individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these allowances by giving notice in writing to the proper officer of the council.

33.3 The Panel has made considerable efforts to consult with the 735 community and town councils in Wales over the past three years with limited success. Its survey in 2014 achieved a return rate of only 11.5%. Members of the Panel have researched council websites and have attended conferences of One Voice Wales in order to engage with members. One Voice Wales has undertaken a further survey on behalf of the Panel.

Costs and expenses

33.4 In order to compensate members of community and town councils for expenses and costs involved in carrying out their duties, the Panel has determined that councils should be authorised to make a payment to each member. This payment may be taxable – this is a matter for each individual member to establish with her/his tax office.

Determination 46: Community and town councils are authorised to make a payment to each of their members of a maximum amount of £100 per year for costs incurred in respect of telephone usage, information technology, consumables etc.

Senior roles

33.5 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, can involve greater responsibility, it has therefore determined that councils should be authorised to pay up to three responsibility payments for specified roles.

Determination 47: Community and town councils are authorised to make an additional annual payment not exceeding £500 to up to 3 members in recognition of specific responsibilities.

Civic allowance

33.6 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office (potentially more active in some respects than the mayors or chairs of the principal councils covering their council area), the Panel has determined that community and town councils should be authorised to pay an allowance for these roles.

Determination 48: Community and town councils are authorised to provide a civic allowance to the mayor/chair and deputy mayor/chair of the council at an amount that they deem appropriate to undertake the functions of that office. Reimbursement of travel and subsistence when undertaking approved duties

33.7 The Panel has decided to change the arrangements under which community and town councils may reimburse travel costs for their members undertaking

approved duties both within and outside the authority's boundaries. (Previously community and town councils were only authorised to reimburse travel costs on approved duties outside the area of the council.)

Reimbursement of Mileage

Determination 49: Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties both within and outside the area of the council. 13 Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

- * **45p per mile up to 10,000 miles in the year.**
- * **25p per mile over 10,000 miles.**
- * **5p per passenger per mile – passenger supplement.**
- * **24p per mile for private motor cycles.**
- * **20p per mile for bicycles.**

Reimbursement of other travel costs

33.8 All other claims for travel must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.

Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle

driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

Reimbursement of subsistence

Determination 51: Community and town councils are authorised to pay an Attendance Allowance to each of their members for attending approved duties outside the area of the council as follows:

- * **£16.23 for a period not exceeding 4 hours.**
- * **£32.46 for a period exceeding 4 hours but not exceeding 24 hours.**

Determination 52: Community and town councils are authorised to pay a Financial Loss Allowance to each of their members where such loss has actually occurred, for attending approved duties outside the area of the council as follows:

- * **£30.05 for a period not exceeding 4 hours.**
- * **£60.11 for a period exceeding 4 hours but not exceeding 24 hours.**
- * **£60.11 plus such amount as is payable above as appropriate for a period exceeding 24 hours.**

Councillors are eligible for either an attendance allowance or financial loss allowance, but not both for the same approved duty.

Care allowance

10.9 In order to address issues of democratic participation and diversity, the Panel has decided to permit payments to members for the care of dependent children and others whilst attending meetings and other approved duties.

Determination 53: Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of dependent children and

Determination 50: Community and town councils are authorised to reimburse subsistence expenses to their members for attending approved duties outside the area of the council at the maximum rates set out below on the basis of receipted claims:

- * £28 per day allowance for meals, including breakfast where not provided.
- * £200 – London overnight.
- * £95 – elsewhere overnight.
- * £30 – staying with friends and/or family overnight.

Adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the carer.

Determination 54: Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of personal assistance needs (provided by informal or formal carers), up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the carer.

Publicity requirements

33.10 There is a requirement on community and town councils to publish details of all payments made to individual members. This information must be published (for example, on council websites) and provided to the Panel by email or by post no later than 30 September following the end of the year to which the payments relate. The Panel notes with concern that this requirement has not been complied with by many councils and draws attention to the requirements stipulated at Annex 4.

These payments are:

- * Costs incurred in respect of telephone usage, information technology, consumables etc.
- * Responsibility payments
- * Allowances made to a mayor/chair and deputy mayor/chair.
- * Attendance Allowance.
- * Financial Loss Allowance.
- * Costs incurred in respect of travel and subsistence
- * Care allowance.