



Staff Handbook

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Introduction

The success of any community provider and that of its employees depends very largely on the employees themselves, and so we look to you to play your part as we shall continue to play ours.

We provide equal opportunities and are committed to the principle of equality regardless of race, colour, ethnic or national origin, religious belief, political opinion or affiliation, sex, marital status, sexual orientation, gender reassignment, age or disability. We will apply employment policies that are fair, equitable and consistent with the skills and abilities of our employees and the needs of the business. We look to your support in implementing these policies to ensure that all employees are accorded equal opportunity for recruitment, training and promotion and, in all jobs of like work, on equal terms and conditions of employment.

We will not condone any discriminatory act or attitude in the conduct of our business with the public or any employees. Acts of harassment or discrimination on the grounds of race, colour, ethnic or national origin, religious belief, political opinion or affiliation, sex, marital status, sexual orientation, gender reassignment, age or disability are disciplinary offences.

We welcome you and express our sincere hope that you will be happy in our team. We ask that you study carefully the contents of this staff handbook as, in addition to setting out our rules and regulations, it also contains a great deal of helpful information.

1. Anti Bribery Policy

1. Bribery is a serious criminal offence and corrupt acts expose Breckfield & North Everton Neighbourhood Council and its employees to the risk of prosecution, fines and imprisonment, as well as endangering Breckfield & North Everton Neighbourhood Council's reputation. We are committed to the prohibition of such conduct. This is not just a cultural and moral commitment on the part of the organisation; it is a legal requirement.
2. Breckfield & North Everton Neighbourhood Council has a strict anti-bribery and corruption policy in line with the Bribery Act 2010. A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.
3. If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the company, or to obtain or retain an advantage in the conduct of Breckfield & North Everton Neighbourhood Council's business, this will be considered gross misconduct. Similarly accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances you will be subject to formal investigation under Breckfield & North Everton Neighbourhood Council's disciplinary procedures, and disciplinary action up to and including dismissal may be applied.

2. Business Requirements Policy

General

This policy sets out the requirements for employees to maintain the reputation and integrity of Breckfield & North Everton Neighbourhood Council and protect employees from accusations of partiality in commercial matters

Conflict of Interest

1. The requirements are based on three principles and relate to activities of employees.
 - a. Employees will not allow their outside activities to interfere with their work, nor allow any conflict between their duties and their private interests affect their work.
 - b. Employees will not make use of, or exploit Breckfield & North Everton Neighbourhood Council or their brand names or connections, or information obtained in the course of their duties to further their own private interests to the detriment of Breckfield & North Everton Neighbourhood Council.
 - c. Notwithstanding Breckfield & North Everton Neighbourhood Council Whistle-blowing Policy, Employees must ensure that their actions and comments, (either verbal or written) do not cause any potential detriment to the reputation of The Employer. This includes any social networking media or external activity.

Such negative actions or comments may result in appropriate disciplinary action being taken against The Employee.

Property and Acceptance of Gifts

2. Employees are responsible for any property belonging to Breckfield & North Everton Neighbourhood Council under their control and must take proper care of any such items.
3. Employees are responsible for the safety of any of their own property which is on Breckfield & North Everton Neighbourhood Council premises.
4. Breckfield & North Everton Neighbourhood Council accepts no responsibility for loss, damage or theft of personal property belonging to members of staff whilst at work. For any such valuable items, it is recommended that employees take out appropriate insurance protection cover.
5. Unless gifts are of a trifling nature (bottle of wine; company calendar; diary etc), employees must not accept any gift, favour or incentive whatsoever from a client or supplier of Breckfield & North Everton Neighbourhood Council without prior written consent from a senior manager. If in doubt, consult with your manager.

Purchasing and Commissioning

6. All dealings with current and potential suppliers and customers must be seen to be appropriately handled with the highest standards of objectivity, integrity and fairness.
7. Breckfield & North Everton Neighbourhood Council is involved in commissioning work and tenders for contracts with other organisations. Unless a Trustee, Director or Senior Manager has given specific permission, employees must not provide information, support or assistance to any company or organisation tendering work from Breckfield & North Everton Neighbourhood Council that would in any way enhance their chances of being successful in their bid.

3. Capability and Performance Management Policy

Breckfield & North Everton Neighbourhood Council is committed to maintaining high standards of competence and performance in the workplace. This policy is intended primarily as a tool to help employees reach the standards of performance expected of them. It also provides a framework for performance issues to be addressed fairly, consistently and appropriately. Breckfield & North Everton Neighbourhood Council will endeavour to complete capability procedures without unreasonable delay.

This procedure does not form part of your contractual terms of employment. It can be reviewed, amended or replaced at any time at Breckfield & North Everton Neighbourhood Council's discretion. This includes Breckfield & North Everton Neighbourhood Council's right to implement any stage of the procedure at any time. It applies to all employees irrespective of length of service or working arrangements but not to self-employed or other categories of worker. However, we reserve the right not to apply the procedure where an employee has service of less than one year.

We understand and respect the need for confidentiality and we expect all members of staff involved in capability and performance procedures to maintain strict confidentiality and to comply with Data Protection Act principles when handling sensitive personal data. Any breach of confidentiality may result in disciplinary proceedings being taken against the person committing the breach.

1. General principles

The following principles apply to every stage of Breckfield & North Everton Neighbourhood Council's capability and performance procedure:

- a. Breckfield & North Everton Neighbourhood Council will provide day-to-day supervision, support and encouragement to employees and seek, where practicable, to resolve minor performance issues through informal counselling.
- b. Where capability or performance issues arise, Breckfield & North Everton Neighbourhood Council will seek to establish whether there is an underlying reason for the poor performance before deciding what action to take.
- c. Where it has not been possible to resolve matters by informal methods, this procedure will normally be used to seek to improve performance before consideration is given to dismissal on the ground of capability.
- d. Where appropriate Breckfield & North Everton Neighbourhood Council will offer training, counselling, supervision or other support to help you reach the required standard of competence or performance.
- e. Breckfield & North Everton Neighbourhood Council will confirm you in writing of:
- f.

- the performance issue;
 - the improvements required of you;
 - the timescale for achieving improvement;
 - details of the help and support to be provided by Breckfield & North Everton Neighbourhood Council;
 - the date of your next review meeting; and
 - the possible consequences of failure to improve your performance.
- g. You must take all reasonable steps to attend performance improvement meetings. You should co-operate fully with us by agreeing, and working towards, the targets for improvement set for you. After a performance review meeting Breckfield & North Everton Neighbourhood Council will monitor your performance until the next agreed review date, or if you have met the targets set, until the expiry of any warning given.
- h. You are entitled to be accompanied to any formal performance improvement meeting by a work colleague or trade union representative (except for any investigatory meeting). You can confer with your companion and he/she can ask questions but he/she cannot answer questions on your behalf. You should notify us well in advance of the meeting who your companion is. If you (or your chosen companion) are not available to attend a meeting on the appointed date, you may propose an alternative time which is reasonable and falls within [5] working days of the appointed date. However, if you twice fail to attend a meeting without good reason, you may forfeit your right to attend and we may treat non-attendance as a breach of discipline or make a decision based on the information available to us.
- i. Any decision and reasons will be communicated to you in writing, if possible within [one week] of the meeting or as soon as reasonably practicable thereafter. You will be given the opportunity to appeal against any decision. In appeal meetings which are not the first meeting, as far as reasonably practicable, Breckfield & North Everton Neighbourhood Council will be represented by a more senior manager or Trustee than attended the first meeting.
- j. If you raise a grievance during the capability and performance procedure Breckfield & North Everton Neighbourhood Council may, if it is appropriate to do so, temporarily suspend the process while it deals with your grievance. If the grievance you raise is connected to the disciplinary process, Breckfield & North Everton Neighbourhood Council may decide to deal with both procedures at the same time.
- k. If you are disabled and require adjustments to be made to any part of the procedure to overcome any difficulty that you may have, you should raise this immediately with the line manager.

2. Informal procedure

Wherever possible, minor performance issues will be resolved with informal counselling. Prior to consideration of formal action, ACAS guidelines on “How to Manage Performance” will be applied.

3. Formal procedure

Breckfield & North Everton Neighbourhood Council may follow this procedure if your performance is unacceptable and informal steps have not resolved the issue, or where the issue is serious. The procedure may be implemented at any stage if your level of performance warrants such action and if Breckfield & North Everton Neighbourhood Council considers it appropriate in the circumstances.

Any formal warnings will be only be considered after a performance improvement meeting and you have the right to appeal against any such warning issued to you.

4. First written warning

If your level of competence or performance does not improve, you may receive a written warning. You will be informed of the reasons for the warning and the improvement required from you. A copy of this written warning will be kept on your personnel file for a period of six months.

5. Final written warning

If your level of competence or performance again does not improve, you may receive a final written warning. You will be informed that if your competence or performance does not reach an acceptable standard, your employment may be terminated. A copy of this final written warning will be kept on your personnel file for a period of six months

6. Dismissal

If your level of competence or performance again does not improve, or any further unacceptable incompetence or performance occurs, you may be dismissed.

7. Other action

In appropriate cases, we may consider and discuss with you alternatives to dismissal, including demotion, loss of seniority, transfer to another department, or reduced pay.

8. Appeal

If you wish to appeal against a warning or dismissal, you must inform your manager in writing within 5 working days of receipt of the decision, setting out the grounds of your appeal.

You will be invited to attend a meeting to discuss your grounds of appeal. Where possible, your appeal will be heard by the next most senior manager or a Trustee who

was not involved in the decision from which the appeal is made. The appeal hearing may be a review or a complete rehearing, at our discretion.

A decision will be given, if reasonably practicable, within [5] working days of the meeting, and confirmed to you in writing. This decision will be final and you will have no further right of appeal.

4. Confidentiality and Disclosure of Information Policy

Breckfield & North Everton Neighbourhood Council will ensure that its handling and exchange or disclosure of personal information is made within the law and maintains the individual's confidentiality and is in their best interests.

Access to individual records will be given on a 'need to know' basis to other members of staff and/or appropriate professional(s) involved in the services being provided, only in the best interests of the individual.

1. Breckfield & North Everton Neighbourhood Council will:

- a. Provide employees with all the relevant training to equip them with an understanding of the need for confidentiality and the methods of maintaining confidentiality on a daily basis in their role
- b. Ensure that service users have access to its policy on Confidentiality and will provide support by means of written, audio or other appropriate means of communication, to enable service users to understand the policy.
- c. Where possible, obtain the consent of the service user regarding information to be shared.

2. Employees will:

- a. Ensure that all individual service user records, whether written, verbal or electronic, are accurate, up to date and kept securely and are confidential.
- b. Respect and preserve the confidentiality of the service user, by only sharing personal information relating to the service user with those directly involved with the person's care.

3. The only exceptions to the above are as follows:

- a. It has been agreed, with the consent of the service user and/or his/her advocate, that it would be beneficial and in the interest of the person for his/her personal information to be shared with another individual.
- b. An employee, or other person involved in the person's care, has reason to believe that the service user has been subject to abuse or may be at risk of harm and or abuse.

4. Employees Information

- a. In respecting and preserving the confidentiality of employees, managers will obtain the employee's permission before sharing personal information relating to the employee with a third party, except where the Companies policy on Adult Protection and Prevention of Abuse overrides this.

5. Breaches of Confidentiality

- a. Employees may only breach this code of confidentiality in exceptional circumstances, where, in their considered judgment, they have identified potential risk or harm to a service user and/or others, or in order to prevent an offence being committed.
- b. In this event the employee will inform the individual, and/or his/her advocate, of the need to breach their confidentiality and the reasons for doing. They should then seek advice from their line manager.
- c. Breach of this code of confidentiality, for reasons other than exceptional circumstances, may be considered to be a breach of the Code of Conduct and may need to be dealt with in accordance with the Companies Disciplinary Procedures
- d. Concerns and/or complaints regarding a breach of confidentiality will be acted upon in accordance with Breckfield & North Everton Neighbourhood Council Complaints Procedure.

6. Guidelines

- a. Information about service users may be very private. The company has both a legal duty and moral responsibility to maintain confidentiality about personal information.
- b. Confidential information includes all medical information (diagnosis, prognosis and treatment) and everything related to personal, social, family and financial matters.
- c. There may be times when you are told information that needs to be passed onto someone else for action (e.g. when someone is at risk). You must explain to the person who passed on the information that you may have to share the information with others. Explain the reasons why the information should be shared with others and who, precisely, will have access to the information.
- d. Confidentiality can be breached when we are not as careful as we should be. This most often occurs in the following ways:
- e. Talking about people in public places, on the bus, along corridors in day centres or other places where people can hear.
- f. Leaving personal written information lying around where unauthorised people can simply pick it up and read it.
- g. Without realising it, passing on personal information to someone who does not need to know and has no right to know.

7. If you see or suspect a breach of confidentiality, take action immediately:

- a. Put papers and documents away.
- b. Question the identity of the inquirer and reason for access.
- c. Courteously point out to people concerned that they are breaching confidentiality, and that they should refrain from doing so.
- d. If you are aware of a situation where confidentiality is blatantly being breached by an individual, and he or she continues to do so, despite being made aware that it is wrong, then you must report your concerns to your line manager, or other senior employee.

5. Controlled Substance & Alcohol Policy

1. Breckfield & North Everton Neighbourhood Council recognises CSA misuse as an illness affecting the safety, security and productivity of employees. Breckfield & North Everton Neighbourhood Council's goal is to establish a workplace free from the effects of drugs and controlled substances.
2. This policy helps to guide managers in dealing with the use of controlled substances in the workplace and applies to all employees. The policy will be reviewed in line with any changes to law or developing legal guidelines. Employees requiring help in dealing with substance misuse are encouraged to seek guidance from Management. Any employee requesting aid and guidance in helping them to overcome their substance misuse will receive confidential help and support.

Policy

Use of Alcohol

3. For the purposes of this policy, a controlled substance will include alcohol. The use/possession of alcohol or being under the influence of alcohol or controlled substances at any time
 - a. during working hours
 - b. whilst in a company facility/property
 - c. whilst driving during working hours

is prohibited and will result in immediate suspension pending an investigation which may result in disciplinary action, including dismissal.

Use of Illegal Drugs

4. An illegal drug is any controlled substance that cannot be legally obtained, including narcotic, cannabis, hallucinogens, cocaine etc or any other drug that has been illegally obtained, such as a prescribed drug not being used for prescribed purposes. The use, sale, purchase, transfer or possession in any amounts of an illegal drug by an employee at any time during working hours; whilst on company or clients' property; or whilst driving during working hours is prohibited. This will result in immediate suspension pending disciplinary action up to and including dismissal. Law enforcement authorities may also be informed.

Use of Legal Drugs

5. A legal drug is a prescribed or over-the-counter drug, which has been legally obtained and is being used for the purposes it was prescribed or manufactured.
6. Employees are not permitted to report for work under the influence of any legally obtained drug if this may affect the employee's safety, co-workers or

customers' safety. If, in the judgement of Breckfield & North Everton Neighbourhood Council, such is the case, the employee will not be permitted to resume work until there is a concurrence with the prescribing doctor that the employee can be placed on a suitable alternative drug or dosage that will not affect safety. All employees are requested to inform Management when they have been made aware that a drug they are taking may have an adverse impact on their job or the safety of others.

7. If an employee has to use prescribed drugs whilst at work, they must inform management who will provide a safe storage place.

Controlled Substance Testing for Work Related Accidents or Suspected Substance Misuse

8. Following any work-related injury requiring external medical attention; or if the employee is suspected of being under the influence of drugs or alcohol due to their behaviour or work performance; the employee will be requested to submit to a health assessment. "Under the influence" will be established by a supervisor and verified by another company representative. They will also be requested to complete a Consent Form (see below).
9. The health assessment may include a blood/urinal or other drug/alcohol test, at no cost to the employee. Any employee refusing consent to such testing may be subject to disciplinary action, up to and including dismissal. For treatment and/or testing purposes, the employee will be escorted by a supervisor/manager.
10. Urine/blood samples will be taken and appropriate tests conducted by a registered and certified laboratory to determine the presence of alcohol or any other controlled substance(s). A proper chain of custody will be maintained on each specimen tested. All test results will be sent confidentially to Senior Management. Senior Management shall maintain all company records and conduct all discussions with employees regarding their levels of alcohol/drugs found in their specimens.
11. In cases where testing is being done because the employee is suspected of being under the influence, the supervisor will make arrangement for the employee to be escorted home from the testing location. Transportation to and from the test location will be arranged by the supervisor, via personal car, company vehicle, ambulance, taxi or Company-paid public transportation.
12. The employee will be suspended until the results of the test are available. If the test results are negative, the employee will be returned to work with no loss of pay and all interim records will be destroyed. If the test results are positive, a second confirming test will be conducted on the same specimen(s). Test results will be considered positive if laboratory reports the employee's specimen positive for an illegal drug, or if their alcohol level would render them unfit to drive legally.

Corrective Actions for Positive Testing for Work-Related Accidents or Suspected Substance Misuse

13. A positive test result for any controlled substance shall result in summary dismissal. However Breckfield & North Everton Neighbourhood Council recognises alcohol/controlled substance misuse as an illness and may offer the employee a six-month leave of absence, without pay or benefits, to seek medical help. In this circumstance, if proof can be provided of successful treatment, the employee will be reinstated to their original post. Further verification tests may be required by the employer, at the employee's expense.

Consent Form

Testing for Controlled Substances

I hereby freely and voluntarily consent to providing a urine and/or blood sample for alcohol and/or any other controlled substance testing.

I hereby release and hold harmless BNENC and its employees, agents, heirs and assigns from any liability whatsoever arising from this physical testing and decisions made concerning my employment or continued employment based on the results of the testing and analysis.

I acknowledge that the results of this physical testing for a controlled substance in my body will be used by Breckfield & North Everton Neighbourhood Council in making decisions concerning my continued employment.

.....
Employee Name (Print)

.....
Employee Signature

Date

.....
Witness for Company (Print)

.....
Witness Signature

Date

6. Disciplinary and Grievance Procedure

For all issues relating to discipline and grievance, Breckfield & North Everton Neighbourhood Council will adopt the procedures, standards of transparency and fairness described in the “ACAS Code of Practice for Discipline & Grievance Procedures.”

- a. Employers and employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.
- b. Employers and employees should act consistently.
- c. Employers should carry out any necessary investigations, to establish the facts of the case.
- d. Employers should inform employees of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.
- e. Employers should allow employees to be accompanied at any formal disciplinary or grievance meeting by a member of staff or union official
- f. Employers should allow an employee to appeal against any formal decision made.

Disciplinary Procedure

1. Purpose and scope

Breckfield & North Everton Neighbourhood Council's aim is to encourage improvement in individual conduct or performance. This procedure sets out the action which will be taken when disciplinary rules are breached.

2. Principles

- a. The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- b. At every stage employees will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting and be represented or accompanied, if they wish, by a trade union representative or a work colleague.
- c. An employee has the right to appeal against any disciplinary penalty.

3. The Procedure

Stage 1 – first warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 6 months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the organisation, it may be justifiable to move directly to a final written warning.)

Stage 2 – final written warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within 12 months action at Stage 3 will be taken.

Stage 3 – dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority, or dismissal.

4. Gross misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:

- a. Theft.
- b. Damage to property.
- c. Fraud.
- d. Incapacity for work due to being under the influence of alcohol or illegal drugs.
- e. Physical violence, bullying and gross insubordination.
- f. Abandoning duty without notification.
- g. Serious misuse of Breckfield & North Everton Neighbourhood Council's telephone, email/internet or other computing services.
- h. Unlawful discrimination, harassment or bullying.
- i. Breach of safety rules.
- j. Acts of gross negligence involving careless or reckless driving, including the use of hand-held cell phones whilst driving.
- k. Fraudulent recording of financial transactions.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer only after full investigation.

Under normal circumstances, gross misconduct if proven, will result in dismissal without notice and without previous warnings.

5. Appeals

An employee who wishes to appeal against any disciplinary decision must do so to the named person in the organisation within five working days. The employer will hear the appeal and decide the case as impartially as possible.

Grievance Procedure

1. Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your manager. You may be able to agree a solution informally between you.

2. Formal grievance

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your manager. You should stick to the facts and avoid language that is insulting or abusive.

Where your grievance is against a senior manager and you feel unable to approach him or her, you should talk to another senior manager or Trustee.

3. Grievance hearing

Your manager will call you to a meeting, normally within five days, to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting the manager will give you a decision in writing, normally within 24 hours.

4. Appeal

If you are unhappy with the manager's decision and you wish to appeal you should let a senior manager know.

You will be invited to an appeal meeting, normally within five days, and your appeal will be heard by another senior manager or Trustee. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting the senior manager or Trustee will give you a decision, normally within 24 hours. That decision is final.

7. Equal Opportunities Policy

1. POLICY STATEMENT

Breckfield & North Everton Neighbourhood Council recognises that discrimination, victimisation, hate crime and harassment are unacceptable. It is the aim of Breckfield & North Everton Neighbourhood Council to ensure that no volunteer, employee or job applicant receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation (**the protected characteristics** – minority groups).

- a. Our aim is that our employees will be truly representative of all sections of society and each employee feels respected and able to give of their best.
- b. We oppose all forms of unlawful and unfair discrimination, harassment or victimisation. To that end the purpose of this policy is to provide equality and fairness for all who work for Breckfield & North Everton Neighbourhood Council.
- c. All company representatives and employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability set against the business needs. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.
- d. Our staff will not discriminate directly or indirectly, or harass or victimise workers, volunteers, employees, customers or clients because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of Breckfield & North Everton Neighbourhood Council's services.
- e. This policy and any associated arrangements shall operate in accordance with relevant statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

2. OUR COMMITMENT

- a. To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- b. Every worker and employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- c. Training, development and progression opportunities are available to all staff.
- d. To promote equality in the workplace which we believe is good management practice and makes sound business sense.
- e. We will review all our employment practices and procedures to ensure fairness.

- f. Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- g. This policy is fully supported by senior management and has been agreed with trade unions and/or employee representatives.
- h. The policy will be monitored and reviewed annually

3. RESPONSIBILITIES OF MANAGEMENT

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Directors or Senior Managers whom will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination.

Each manager will ensure that:

- a. all their staff are aware of the policy and the arrangements, and the reasons for the policy;
- b. grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- c. proper records are maintained.

The Directors or Senior Managers will be responsible for monitoring the operation of the policy in respect of employees and job applicants, including periodic departmental audits.

4. RESPONSIBILITIES OF STAFF

Responsibility for ensuring that there is no unlawful discrimination, victimisation or harassment rests with all staff and the attitudes of staff are crucial to the successful operation of fair employment practices.

In particular, all members of staff should:

- a. comply with the policy and any supporting arrangements;
- b. not discriminate in their day to day activities or induce or instruct others to do so;
- c. not victimise, harass or intimidate other individuals or groups who have, or are perceived to have one of the protected characteristics.
- d. ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic.
- e. inform their manager if they become aware of any discriminatory practice.

5. THIRD PARTIES

Third-party harassment occurs where a Company employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients or customers. Breckfield & North Everton Neighbourhood Council

will not tolerate such actions against its staff, and the employee concerned should inform their manager / supervisor at once that this has occurred.

Breckfield & North Everton Neighbourhood Council will fully investigate and take all reasonable steps to ensure such action do not happen again.

6. RELATED POLICIES AND ARRANGEMENTS

All employment policies and arrangements have a bearing on equality of opportunity. Breckfield & North Everton Neighbourhood Council policies will be reviewed regularly and any discriminatory elements removed.

7. RIGHTS OF DISABLED PEOPLE

Breckfield & North Everton Neighbourhood Council attaches particular importance to the needs of disabled people.

Under the terms of this policy, managers are required to:

- a. make reasonable adjustment to maintain the services of an employee who is or becomes disabled, for example, training, provision of special equipment, reduced working hours. (NB: managers are expected to seek advice on the availability of advice and guidance from external agencies to maintain disabled people in employment);
- b. include disabled people in training/development programmes;
- c. give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job. Pre-employment health related questions should comply with the relevant sections of the Equality Act 2010.

8. MONITORING

- a. We will maintain information on staff who have been involved in certain key policies such as Disciplinary and Grievance. The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose.
- b. If monitoring shows that Breckfield & North Everton Neighbourhood Council, or areas within it, are not representative, or that sections of our workforce are not progressing properly within Breckfield & North Everton Neighbourhood Council, then an action plan will be developed to address these issues. This will include a review of recruitment and selection procedures, Company policies and practices as well as consideration of taking legal Positive Action.

9. GRIEVANCES/DISCIPLINE

Employees have a right to pursue a complaint concerning discrimination or victimisation via Breckfield & North Everton Neighbourhood Council Grievance Procedure.

Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under Breckfield & North Everton Neighbourhood Council Disciplinary Procedure.

10. EXAMPLES OF PERSONAL HARASSMENT

1. Personal harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one employee towards another and examples of harassment include:
 - a. insensitive jokes and pranks;
 - b. lewd or abusive comments about appearance;
 - c. deliberate exclusion from conversations;
 - d. displaying abusive or offensive writing or material;
 - e. unwelcome touching; and
 - f. abusive, threatening or insulting words or behaviour.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment.

11. COMPLAINING ABOUT PERSONAL HARASSMENT

a. Informal complaint

We recognise that complaints of personal harassment and particularly of sexual harassment can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for investigating the matter if it becomes a formal complaint).

If you are the victim of minor harassment you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should give a hand written request to the harasser, and your confidential helper can assist you in this.

b. Formal complaint

Where the informal approach fails or if the harassment is more serious, you should bring the matter to the attention of your Line Manager as a formal written complaint and against your confidential helper can assist you in this. If possible, you should keep notes of the harassment so that the written complaint can include:

- i. the name of the alleged harasser;
- ii. the nature of the alleged harassment;
- iii. the dates and times when the alleged harassment occurred;

- iv. the names of any witnesses; and
- v. any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with the pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation which will normally be within ten working days of the meeting with you, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to you and to the alleged harasser.

If you or the alleged harasser are dissatisfied with the draft report or with the proposed decision this should be raised with the investigator within five working days of receiving the draft. Any points of concern will be considered by the investigator before a final report is sent, in writing, to you and to the alleged harasser. You have the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.

12. GENERAL NOTES

- a. If the report concludes that the allegation is well founded, the harasser will be subject to disciplinary action in accordance with our disciplinary and grievance procedure. An employee who receives a formal warning or who is dismissed for harassment may appeal by using the grievance/disciplinary procedure.
- b. If you bring a complaint of harassment you will not be victimised for having brought the complaint. However if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.

13. REVIEW

The effectiveness of this policy and associated arrangements will be reviewed annually by the Directors or Senior Managers.

8. Flexible Working Policy

1. Key Value

One of Breckfield & North Everton Neighbourhood Council's values is that it will listen to and develop its staff. As part of this commitment, wherever possible, staff can agree with the organisation exactly how work is undertaken, in order to achieve a balance between their working lives and their personal responsibilities.

This section covers the following areas:

- a. Flexible working arrangements (including job sharing)
- b. Emergency time off (e.g. for dependant care)
- c. Working Time/Time Off in Lieu

Maternity and Paternity Leave entitlements are described in a separate policy.

2. Flexible working arrangements

We are willing to discuss requests for a change to your working arrangements at any time (after you have completed your probationary period) and for any reason. You should approach your manager in the first instance and outline the following:

- a. What changes you would like to make (for example varying the times you work; reducing the numbers of hours worked; changing your rota arrangements; a job share proposal)
- b. How your work will still be carried out without affecting your department's overall performance.

Your line manager will discuss your suggestion further *with you, and if necessary with other managers* and will then make a decision in writing as follows:

- c. Accept your request and agree with you a start date
- d. Reject your request. In this case s/he will explain why it is not practical to agree your suggestion
- e. Agree with you a different way forward that fulfils both Breckfield & North Everton Neighbourhood Council's and your requirements.

If you are unhappy with the decision, or the way it has been reached, you may use the appeal procedure for this policy. If your appeal is unsuccessful, you will not be able to make any further requests for changes to your working arrangements for a period of one year.

We will not consider requests to extend your working hours beyond the normal full time average hours of 35 hours per week.

We will discuss with you either a temporary change (for up to one year) or a permanent change (which will continue for the remainder of your employment). If we agree a

permanent change, you may only request a further change to your working arrangements once you have completed at least a year of the new arrangements.

If as an organisation, we find that the new arrangements are causing operational problems, we reserve the right to reach a new agreement, at any time.

3. Time Off for Dependant Care

Requests for time off for dependant care with/without pay will be considered and granted at the discretion of the Directors.

Employees who require more time off work to provide Dependant Care will be afforded as much flexibility as possible. Your line manager will confirm the most appropriate way to meet with your request for time off to look after dependants. This may be achieved by;

- a. Taking Annual Leave
- b. Taking Time in Lieu
- c. Taking leave without pay

We will allow you to take up to 5 days paid/unpaid leave (pro-rata) per year to deal with emergencies relating to a dependant, such as illness, an accident, a problem at school relating to your child, or a problem with care arrangements.

- d. A dependant is classed as your spouse; cohabiting partner; a child for whom you have parental responsibility, a parent; a person who depends on you for care; or any person living in your house (except employees, tenants or lodgers).
- e. We may refuse to grant you time off unless you telephone your line manager as soon as possible on the first day of absence with the reason for your absence and how long you expect to be off. You must also contact your manager again with a reason if you cannot return at the time you expected.
- f. The amount of time off will be limited to what is considered reasonable in the circumstances, by your manager.
- g. Should you request time off more than once in a three-month period, we may make additional enquiries into the reasons for absence.

4. Emergency or Special Leave

Requests for time off for emergency or special leave will be considered and granted at the discretion of a senior manager.

- a. If you are a magistrate, councillor, or hold some other public office, we will grant you additional unpaid leave in accordance with statutory requirements. You must however advise us if you are intending to apply for such positions.
- b. If you are called up for Jury Service, you must advise your manager immediately so that arrangements can be made to accommodate your absence.
- c. Compassionate leave with pay may be granted in the event of the death of a partner or close relative. Each case will be dealt with on its own merits.

- d. Medical and Dental appointments should, wherever possible, be made outside working hours. If this is not possible, you should attempt to make them at the start or end of the working day, and you may be required to make up any time lost. You must advise your manager in advance of any such appointment.
- e. Requests for Special Leave for any other reasons will be considered by a Director or Senior Manager. Any requests must be made in writing. Approval for special leave will only be granted where the employee is unable to take other leave such as Time in Lieu or Annual Leave.

5. Working Time Regulations

All of our flexible procedures are designed to be consistent with the Working Time Regulations, which state that (amongst other things)

- a. No-one should work more than an average of 48 hours per week
- b. A minimum half hour (unpaid) break must be taken at lunchtime, away from your place of work, if preferred.
- c. If required to attend an evening meeting, you are entitled to take a 20 minute break (paid), again away from your workstation
- d. You must have an 11-hour gap between finishing work and restarting work.

6. Work/Life Balance

Eligibility

Employees must be an employee and have 26 weeks' continuous service, to be eligible for submitting a flexible working request.

Employees must not have made a flexible working request within the previous 12 months.

Requests must be made in writing (paper/electronic), dated, state it is made under the Flexible Working Provisions of the Employment Rights Act 1996.

Set out the change requested.

Specify the date the change should take effect.

State the date of any previous applications.

Explain the effect (if any), the changes will have on the employer.

Explain how the employer might address the effect of the changes.

Within the request, must also include confirmation that:

- a. For Parent/Guardian
 - Must certify they have responsibility for the upbringing of the child
 - The child is under 17, or disabled under 18
 - Their relationship with the child

- b. For Carer
 - Is the spouse, partner, civil partner or relative of the adult in need of care?
 - Live at the same address.

7. Eligibility for parents/guardians

- a. Children must be under 17
- b. Disabled children under 18
- c. Applicant must be an employee and one of the following
 - Parent-natural, adoptive, or foster
 - Guardian
 - Married to, or a civil partner of parent or guardian
- d. Have, or expect to have responsibility for the child's upbringing
- e. Be making an application in order for them to care for the child

8. Eligibility for Carers

- a. Spouse, partner, or civil partner
- b. Relative
- c. Someone living at same address
- d. Be making the application to enable them to provide care

Notification of decision to be made in writing, within 10 working days.

9. Appeals Procedure

First Appeal

- a. In the circumstance where agreement cannot be reached between an employee and their line manager, concerning a request for flexible working, the employee must
 - Make a request in writing to a senior manager outlining the specific details of their required changes in work practice and their reasons for requesting the change.
 - The senior manager will respond, under normal circumstances, within 10 working days of receipt of the written appeal, to arrange a meeting with the employee.
 - The senior manager will meet with the employee (and colleague/trade union representative if required), to discuss the details of the appeal.
 - The senior manager will respond with the decision in writing, under normal circumstances, within 10 working days, following completion of the meeting.

10. Final Appeal

- a. In the circumstance where the decision of the director or senior manager is not found to be acceptable by the employee, a final appeal can be made to a trustee.

b. This appeal must be made in writing and should detail the specific reasons why the decision of the senior manager is found to be unacceptable.

- The Trustee will respond, under normal circumstances, within 10 working days of receipt of the written appeal, to arrange a meeting with the employee.
- The Trustee will meet with the employee (and colleague/trade union representative if required) to discuss the details of the appeal.
- The Trustee will respond with the decision in writing, under normal circumstances, within 10 working days, following completion of the meeting.

The decision made by the Trustee will be final and binding.

9. Health and Safety Policy Statement

This is the Health and Safety Policy of **Breckfield & North Everton Neighbourhood Council**

It is the policy of **Breckfield & North Everton Neighbourhood Council** to:

- Provide adequate control of health and safety risks arising from our work activities
- Consult with our employees on matters affecting their health and safety
- Provide and maintain safe plant and equipment
- Ensure safe handling and use of substances
- Provide information, instruction and supervision for employees
- Ensure that all employees are competent to do their tasks, and to give them adequate training
- Prevent accidents and cases of work related ill health
- Maintain safe and healthy working conditions
- Review and revise this policy as necessary at regular intervals

Signed: Paul Robinson

Position: Operations Manager

Date 1st November 2022

Review date 1st November 2023

1. Organisation and Responsibilities

The overall responsibility for health and safety in the organisation belongs to:

Name	<i>Peter Roberts</i>
Position	<i>Chair of the Board of Trustees.</i>

It is the responsibility of the above person to ensure that sufficient resources are available to ensure that the arrangements within this health and safety policy are carried out.

a. Delegated responsibility for implementation and monitoring

Delegated responsibility for ensuring this policy is implemented and monitored belongs to:

Name	Paul Robinson
Position	Director of Operations

It is the responsibility of the above person to ensure that the arrangements within this health and safety policy are carried out and monitored to ensure that they are operating effectively.

b. Named responsibilities

The following persons have been named as having responsibilities to assist in the delivery of this health and safety policy:

Name	Paul Robinson Jnr
Position	Caretaker
Area of responsibility	All aspects of Health & Safety within the BNENC estate

Name	Mervyn Parry
Position	WAVES Co-ordinator
Area of responsibility	All aspects of Security within the BNENC estate

It is the responsibility of the above person/people to ensure that their named duties are carried out diligently in support of this health and safety policy.

c. Responsibilities of all employees

It is the responsibility of ALL employees to:

- Cooperate with their managers and supervisors on all health and safety matters
- Use things provided for their health and safety properly and not misuse or interfere with anything provided to safeguard health and safety
- Take reasonable care of themselves
- Take care that their activities do not harm others
- Report all hazards or concerns to their immediate manager or other appropriate person

2. Arrangements

The arrangements listed here describe what will be done to fulfil this policy.

a) Management of Health and Safety

Health and safety management in **BNENC** will be the responsibility of Paul Robinson, Operations Manager who will:

- Develop a clear policy
- Allocate responsibilities at the appropriate levels
- Develop and implement a health and safety plan
- Check the implementation and effectiveness of the plan
- Review the whole process from time to time

b) Risk Assessments

All hazards will be identified and risk assessments carried out in order to design systems of work that minimise risk.

Risk assessments will be recorded where the findings are significant.

For this policy, the following will apply:

Risk Assessment Component	Responsibility
The person responsible for ensuring that risk assessments are carried out by people competent to do so is:	Paul Robinson
Risk assessments will be carried out by :	Paul Robinson Snr Paul Robinson Jnr
The findings of risk assessments will be reported to:	Paul Robinson,
The action to be taken to remove the risk (or if the risk cannot be removed, control the risk) will be designed by:	Caretaker Health & Wellbeing Officer
The action to be taken to remove the risk (or if the risk cannot be removed, control the risk) will be approved by:	Paul Robinson,
The implementation of actions to reduce risk is the responsibility of:	Paul Robinson,
Re-assessment following the implementation of actions is the responsibility of:	Caretaker Health & Wellbeing Officer
Risk assessments will be reviewed every (or if sooner when the activity or conditions change that effect the risk):	12 Months refer also to operational risk, home & environment assessments.

3. Training

Induction training will be provided for all new starters. Further training will be provided that relate to competence and activities. Training may be delivered in any of the following formats:

- a) Toolbox talks
- b) Individually from the supervisor
- c) Instructor led training
- d) eLearning

The training process is the responsibility of **Paul Robinson, Operations Manager** who will be responsible for keeping training records and the prompting of refresher training.

Breckfield has identified the following activities as requiring training:

Activity	Training Description	Delivery Mechanism
<i>Lone working</i>	<i>Risk assessment</i>	<i>Induction, supervision, mentoring, on-going training</i>
<i>COSHH</i>	<i>Risk assessment</i>	<i>Induction, supervision, mentoring, on-going training</i>
RIDDOR	Induction	<i>Induction, orientation supervision, mentoring, on-going training</i>
Moving and Lifting	Induction	<i>Induction, supervision, mentoring, on-going training</i>
Food hygiene	Induction	<i>Induction, supervision, mentoring, on-going training</i>
First Aid	Induction	<i>Induction, supervision, mentoring, on-going training</i>

4. Supervision

Supervision will be provided on a regular basis, in line with current guidance and legislation

5. Information, Communications and Consultation

- a) The statutory Health and Safety Law poster's is/are displayed at **In the Breckfield Centre Reception.**
- b) Statutory information on Health and Safety Law will be issued at Staff induction.
- c) Health and safety information and support is available from the health and Safety Executive.
- d) Where persons are working at sites owned or controlled by others, information relating to the hazards present, risk assessments, safe systems of work and any emergency procedures will be given to them by their immediate manager.

6. Monitoring and Auditing

- a) Monitoring and auditing of this policy will be undertaken annually with an aim to making continuous improvement.
- b) Auditing and monitoring will be the responsibility of Paul Robinson Director of Operations , **based at the Breckfield Centre.**

7. Accidents, incidents, first aid and emergencies

All accidents, incidents and near misses will be reported to **Paul Robinson, Director of Operations based at the Breckfield Centre** who will be responsible for the keeping of records and also reporting accidents, incidents (including safeguarding and RIDDOR) diseases and dangerous occurrences to the enforcing authorities.

First Aid provision has been made by **BNENC** and the following first aiders may be contacted if first aid is required:

First Aider	Location	Contact details
Alan Donnelly	The Breckfield Centre	The Gym and Sports Hall/The Annex Office
Katrina Hoy	The Breckfield Centre	Reception / The Annex Office

The following action is to be taken in the event of the following emergencies:

Emergency	Action
Fire Alarm	Evacuate the building and assemble at the rear of the Breckfield Centre car park

8. Equipment

- a) It is the policy of **Breckfield** to use properly selected and maintained equipment.
- b) It is the responsibility of **Paul Robinson, Director of Operations** to select work equipment and ensure that it is fit for purpose and ensure that it conforms to any required safety standards.
- c) The maintenance procedure and programme is the responsibility of **The Caretaker** who will identify all equipment that requires maintenance, arrange for the maintenance and then check that it has been completed. This responsibility includes the liaison with outside organisations such as insurers or others who may carry out periodic inspections.
- d) If defects are found with any plant or work equipment these should be reported to **Paul Robinson**, for action.

9. Hazardous Substances

- a) All hazardous substances will be identified and assessed for risk and this is the responsibility of **The Caretaker** who will also check that substances are safe to use prior to purchase.

- b) All hazardous substances used that have a significant risk will either be substituted with a less harmful alternative or controlled by designing safe systems of work. The person responsible for this task is The **Caretaker**.
- c) The implementation of safe systems of work during use with substances will be the responsibility of The **Caretaker**
- d) Assessments of hazardous substances will be reviewed every **3 months**, or whenever changes occur that might alter the level of risk.

Additional Specific Hazard

Lone working - refer to lone working policy and operational risk assessment policies & procedure

10. Induction Procedure/Checklist

Name

Date Joined

Job Title

Location

Line Manager

Subject	Date Completed	Comments
<p>Items to be given out:</p> <ul style="list-style-type: none"> • Staff Handbook • Personal Details Form including Bank Details • Sickness Form <p>Items to be obtained:</p> <ul style="list-style-type: none"> • P45 • Contract signed • Salary and method of pay 		
<p>Introduction to Area of Work</p> <ul style="list-style-type: none"> • Entrances/Exits • Car Parking Facilities • Location of: <ul style="list-style-type: none"> - Fire escapes - Toilets - Coffee machine/kettle - Notice boards 		

Health and Safety

Subject	Date Completed	Comments
Fire and Bomb alarm/drill procedure		
Location of fire exits		
Location of assembly points		
Location of first aid provision		
Name of First Aider		
Accident report procedure <ul style="list-style-type: none"> • Who to report to • Location of accident report book 		
Lone Working Risk assessment		

Rules and Procedures

Subject	Date Completed	Comments
Hours of work <ul style="list-style-type: none"> • Timekeeping • Lunch break 		
Annual leave entitlement <ul style="list-style-type: none"> • Method of application for annual leave 		
Disciplinary Rules/Procedures		
Grievance Procedure		
No Smoking Policy		
Sickness/absence <ul style="list-style-type: none"> • When to ring in 		

<ul style="list-style-type: none"> • Who to speak to • Sick notes • Sick Pay 		
Personal Property		
Standard of conduct and dress		

The Job

Subject	Date Completed	Comments
Outline of Job		
Quality and quantity of work <ul style="list-style-type: none"> • Individual work objectives • Probationary* Period/Monthly reviews 		
Computers and information system security <ul style="list-style-type: none"> • Acceptable ICT policy • Mobile Phone Policy 		

*The employer retains the right to terminate employment at any stage of the probationary period, for any reason relating to unsatisfactory performance or references.

I ACKNOWLEDGE AND FULLY UNDERSTAND THE ABOVE INFORMATION AND HAVE RECEIVED RELEVANT DOCUMENTATION

SIGNED (employee)

NAME IN CAPITALS **DATE**

LINE MANAGER

I CONFIRM THAT THE INDUCTION PROGRAMME HAS BEEN COMPLETED FOR THE ABOVE NAMED PERSON.

SIGNED (Line Manager)

NAME IN CAPITALS **DATE**

This document should be kept in individual's personnel files.

11. Information and Communications Technologies (ICT)

ITC Use, Information Security and Data Protection Policy

1. Breckfield & North Everton Neighbourhood Council's policy on the prevention of information and communication technologies system misuse is:
 - a. To make all staff aware of its acceptable user policy;
 - b. To provide advice to staff, on request, on matters relating to acceptable use;
 - c. To take swift and effective action against anyone found to be intentionally misusing the information and communications systems.
2. Breckfield & North Everton Neighbourhood Council network is a centrally managed resource. Only authorised staff may make installations of hardware/software to the network. Requests for the installation of hardware/software should be made to the Financial Director via email.
3. Users will only be provided with such access to email and the internet system as is necessary to carry out their specified roles or purpose. Users who contravene this policy may be removed from the email system and be subject to disciplinary action, which, in serious cases, may include dismissal.
4. Email communications should follow the same standards expected in other types of written business communications. All messages should be constructed professionally in terms of spelling and grammar. They should be filed electronically in the appropriate subject file, including attachments. Caution should be taken to ensure that messages are addressed to the appropriate recipient. It is easy to inadvertently address email messages incorrectly.
5. All email accounts maintained on the e-mail systems are our sole property. We reserve the right to monitor any user's email and internet access record where there is reasonable suspicion of any activities that are in breach of this policy.
6. This also applies where we have the need to protect our system security, to fulfil our own legal obligations, to detect employee wrongdoing, to comply with legal process, or protect the rights of our property. Appropriate procedures on our part shall include reviews by our managers to ensure that employee privacy is not infringed without good cause in such circumstances. Users should be aware that, despite the deletion of messages, access to deleted messages is still possible.
7. Staff are ultimately responsible for access to network resources via their accounts and ensuring that the system is not open to misuse. For instance the person logged on is responsible for any actions from that account. It is important therefore that users ensure they lock or log off from a machine

when they leave the room. Staff should be made aware of their responsibilities both at induction and during appraisals

8. Prohibited e-mail use – the following activities are strictly prohibited and may be considered as acts of gross misconduct:

- a. The exchange of proprietary information, trade secrets or any other privileged information, including information relating to any potential or actual litigation, confidential or sensitive information.
 - b. The downloading or viewing of any pornographic material or any other type of offensive material. This could also constitute a criminal offence.
 - c. The downloading of any games, desktop themes or any other unauthorised software onto any computer. Any software loaded onto any system must be approved prior to its installation.
 - d. The creation and exchange of personal or non-work related communications, chain letters and other unsolicited email.
 - e. The creation and exchange of information in violation of any copyright laws or the intellectual property rights of third parties, including registration to any servers without proper authorisation. Subscription to such a service can result in an overload of received messages, directly impacting upon the performance of the email system.
 - f. The sending or receiving of work-related email messages from any non employee's user account, except under properly approved arrangements.
 - g. Compromising the privacy of a password by giving it to others or exposing it to public view.
 - h. The use of the email system for any illegal or wrongful purposes. This includes the distribution of material which may be or is prohibited under an Act of Parliament or any other law, including material containing critical or defamatory statements about employees, clients, other companies, organisations or individuals.
 - i. The distribution of any material which depreciates the performance of the email system and servers. This includes sending non-business related attachments, files, and junk mail.
 - j. Entering into any contractual obligations or pre-contractual obligations or representations, without prior authorisation.
9. It is the responsibility of the user to ensure that all data critical to the continued operation of Breckfield & North Everton Neighbourhood Council is stored in an appropriate location on the network.
10. It is the responsibility of every employee to ensure that:
- a. unauthorised software (e.g. shareware and public domain software) is not loaded on to any PC without prior permission of the Manager.
 - b. unlicensed software is not loaded onto any PC.
 - c. incoming and outgoing hardware is screened to minimise the introduction and spread of viruses
11. Breckfield & North Everton Neighbourhood Council's policies are in addition to any and all applicable legislation. Staff should ensure that they are familiar

with key legislation including, but not limited to the Computer Misuse Act 1990.

http://www.hmso.gov.uk/acts/acts1990/Ukpga_19900018_en_1.htm and the General Data Protection Regulations.

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr>

Refer to Section 16, General Data Protection Regulation Privacy Notice for details of

12. Information Security

- a. Breckfield & North Everton Neighbourhood Council will maintain its registration under the Data Protection Act and any subsequent legislation which may be enforced
- b. Copies of clients' and/or employees' details will not be forwarded to any agency without prior consent of those concerned and by agreement with the Director
- c. Clients' and/or employees' personal details will not be disclosed to any third party, unless in the case of an employment reference, and only then if the request is made in writing
- d. Clients and employees will have full rights to see information which is held on their personal file and on the computer. This information must only be accessed in the presence of a Breckfield & North Everton Neighbourhood Council staff member
- e. Every employee should abide by the principles of the Data Protection Act 1984 (updated 1999) which are:
 - Personal Data should be obtained fairly and lawfully.
 - It should be held for the purpose(s) given in the registration.
 - It should not be used or disclosed in a way incompatible with the purpose(s) in the registration.
 - It should be adequate, relevant and not excessive for the purpose(s).
 - It should be accurate and, where necessary, kept up to date.
 - It should be kept for no longer than necessary.
 - It should be available to the 'data subject'.
 - It should be kept securely.
- f. Client and employee confidentiality will be respected at all times. Should any client and/or employee have cause for concern they should do so in writing to the Chief Officer at Breckfield & North Everton Neighbourhood Council.

13. Controlling Physical Security

Breckfield & North Everton Neighbourhood Council is committed to restricting access to the office, desks, storage areas, equipment and other facilities where unauthorised access by people could compromise security.

To facilitate this, the following principles will be adhered to:

- a. Access to the offices is controlled and restricted at all times. Only those who are either known to Breckfield & North Everton Neighbourhood Council, or who have

an appointment with Breckfield & North Everton Neighbourhood Council, will be allowed entry.

- b. The office will be secured after hours, and during the day if it is unoccupied
- c. No clients or visitors will be allowed access to the office area, unless a member of staff is present

14. Controlling Access to Information

- a. Each computer in the office is protected with a password which is known only to members of staff. Clients or visitors wishing to use any computer in the office will only be allowed to do so in the presence of a staff member
- b. Any printed material containing information taken from personal data will be put through a shredding machine.

15. Staff Training

Employees are made aware of information security issues during their induction. Any violation of the security policy may lead to disciplinary action.

16. General Data Protection Regulations Privacy Notice

We issue this privacy notice in the interests of transparency over how we use the personal data that we collect from job applicants/employees.

Personal data for these purposes means any information relating to an identified or identifiable person.

“Sensitive personal data” means personal data consisting of information as to -

- a) the racial or ethnic origin of the individual,
- b) their political opinions,
- c) their religious or philosophical beliefs,
- d) their membership of a trade union,
- e) their physical or mental health or condition,
- f) their sexual life,
- g) the commission or alleged commission by them of any offence,
- h) any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings,
- i) genetic data; and
- j) biometric data where processed to uniquely identify a person (for example a photo in an electronic passport)

Data Controller

For data protection purposes the “**data controller**” means the person or organisation who determines the purposes for which and the manner in which any personal data are processed.

The data controller is Paul Robinson, Director of Operations, Breckfield & North Everton Council Ltd, The Breckfield Centre, Breckfield Road North, Liverpool L5 4QT

Purpose of processing the data

It is necessary for us to process personal data of both job applicants and employees for the following reasons:

1. We will need the information in order to identify the individual for the purposes of recruitment;
2. We will need to maintain that information for the general purposes of the ongoing employment relationship including performing the employment contract and maintaining the health and safety of individuals on our premises.

Our legal basis for processing personal data of applicants and staff is that:

1. Processing the personal data is necessary for the purpose of carrying out the employment contract or to take steps to enter into an employment contract;
2. Processing is necessary to comply with a legal obligation (for example we are obliged under employment law to include in a written statement of employment terms the identity of the parties to the employment contract);
3. Processing the data is necessary to protect the vital interests of an individual (for example we are legally responsible for the health and safety of staff and job applicants (when they are on our premises) and so it is necessary to process data relating to those individuals for that reason); and/or
4. Processing the data is necessary for the purposes of our “**legitimate interests**” as the data controller (except where such interests are overridden by the interests, rights or freedoms of the individual).

Our “legitimate interests” for these purposes are:

1. the need to process data on applicants and staff for the purposes of assessing suitability for employment and then carrying out the employment contract;
2. the need to gather data for the purposes safeguarding the health and safety of job applicants and employees;
3. the need to transfer employee data intra-group for administrative purposes; and
4. the need to process employee data for the purposes of ensuring network and information security.

We may from time to time need to process sensitive personal data, for example medical records or other information relating to the health and well-being of an individual.

In that case we will either obtain the explicit consent of the individual to the processing of such data or we may consider the processing of that data as being necessary for carrying out our obligations as an employer. That will be assessed on a case by case basis.

There is no strict statutory or contractual requirement for you to provide data to us but if you do not provide at least that data that is necessary for us to assess suitability for employment and then to conduct the employment relationship then it will not practically be possible for us to employ you.

Recipients of personal data

Your personal data may be received by the following categories of people:

1. Our HR department;
2. In the case of job applicants, the interviewer and prospective manager;
3. Any individual authorised by us to maintain personnel files;
4. Our professional advisers; and
5. Appropriate external regulators and authorities (such as HMRC and HSE)

We do not envisage that your data would be transferred to a third country. If we perceive the need to do that we would discuss that with you and explain the legal basis for the transfer of the data at that stage.

Duration of storage of personal data

We will keep personal data for no longer than is strictly necessary, having regard to the original purpose for which the data was processed. In some cases we will be legally obliged to keep your data for a set period. Examples are below:

Income tax and NI returns, income tax records and correspondence with HMRC: We are obliged to keep these records for not less than 3 years after the end of the financial year to which they relate.

Wage and salary records: We are obliged to keep these records for 6 years.

Your rights in relation to your personal data

1. The right to be forgotten

You have the right to request that your personal data is deleted if:

- a) it is no longer necessary for us to store that data having regard to the purposes for which it was originally collected; or

- b) in circumstances where we rely solely on your consent to process the data (and have no other legal basis for processing the data), you withdraw your consent to the data being processed; or
- c) you object to the processing of the data for good reasons which are not overridden by another compelling reason for us to retain the data; or
- d) the data was unlawfully processed; or
- e) the data needs to be deleted to comply with a legal obligation.

However, we can refuse to comply with a request to delete your personal data where we process that data:

- a) to exercise the right of freedom of expression and information;
- b) to comply with a legal obligation or the performance of a public interest task or exercise of official authority;
- c) for public health purposes in the public interest;
- d) for archiving purposes in the public interest, scientific research, historical research or statistical purposes; or
- e) the exercise or defence of legal claims.

2. The right to data portability

You have the right to receive the personal data which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided (us) where:

- a) the processing is based on consent or on a contract; and
- b) the processing is carried out by automated means.

Note that this right only applies if the processing is carried out by “automated means” which means it will not apply to most paper based data.

3. The right to withdraw consent

Where we process your personal data in reliance on your consent to that processing, you have the right to withdraw that consent at any time. You may do this in writing to the HR team or to your line manager.

4. The right to object to processing

Where we process your personal data for the performance of a legal task or in view of our legitimate interests you have the right to object on “grounds relating to your particular situation”. If you wish to object to the processing of your personal data you should do so in writing to HR or to your line manager stating the reasons for your objection.

Where you exercise your right to object we must stop processing the personal data unless:

- we can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms; or
- the processing is for the establishment, exercise or defence of legal claims.

5. The right of subject access

So that you are aware of the personal data we hold on you, you have the right to request access to that data. This is sometimes referred to as making a “subject access request”.

6. The right to rectification

If any of the personal data we hold on you is inaccurate or incomplete, you have the right to have any errors rectified.

Where we do not take action in response to a request for rectification you have the right to complain about that to the Information Commissioner’s Office.

7. The right to restrict processing

In certain prescribed circumstances, such as where you have contested the accuracy of the personal data we hold on you, you have the right to block or suppress the further processing of your personal data.

8. Rights related to automated decision making and profiling

The GDPR defines “profiling” as any form of automated processing intended to evaluate certain personal aspects of an individual, in particular to analyse or predict:

- performance at work;
- economic situation;
- health;
- personal preferences;
- reliability;
- behaviour;
- location; or
- movement

You have the right not to be subject to a decision when it is based on automated processing; and it produces a legal effect or a similarly significant effect on you.

However, that right does not apply where the decision is necessary for purposes of the performance of a contract between you and us. We may use data related to your performance or attendance record to make a decision as to whether to take disciplinary action. We consider that to be necessary for the purposes of conducting the employment contract. In any event that is unlikely to be an automated decision in that action will not normally be taken without an appropriate manager discussing the matter with you first and then deciding whether the data reveals information such that formal action needs to be taken. In other words there will be “human intervention” for the purposes of the GDPR and you will have the chance to express your point of view, have the decision explained to you and an opportunity to challenge it.

Complaints

Where you take the view that your personal data are processed in a way that does not comply with the GDPR, you have a specific right to lodge a complaint with the relevant supervisory authority. The supervisory authority will then inform you of the progress and outcome of your complaint. The supervisory authority in the UK is the ICO.

12. Lone Working Policy

1. Introduction

Personal safety at work is a shared responsibility between you and your employer. You have the responsibility to keep yourself safe at work. Taking sensible precautions can substantially reduce risks. Risk is the assessment of the degree of probability of harm, while it is not possible to eliminate all risks and dangers, this policy and the following procedures are to assist staff in reducing them:

a. It is our policy that Breckfield & North Everton Neighbourhood Council will ensure staff:

- Have support in identifying and reducing risks
- Have access to risk assessments completed in accordance with Breckfield & North Everton Neighbourhood Council Policies and Procedures.
- Have appropriate training
- Work to procedures which match level of risk assessed
- Have procedures to follow in the event of an incident

b. Following induction and/or training staff will be enabled to:

- Identify risks
- Avoid potentially dangerous situations
- De-escalate situations
- Know the criteria for initiating procedures when they feel under threat

Where staff have concerns they are expected to inform their line manager.

All lone working incidents will be recorded, audited and reviewed, according to the appropriate incident procedure and/or RIDDOR.

Staff must refer to the following supporting documentation within the **Health & Safety Policy**

Because of the diversity of working situations across Breckfield & North Everton Neighbourhood Council the procedures which follow have been divided into 4 sections;

- **Home visiting**
- **Providing support packages in the service users home**
- **In buildings**
- **In the community**

2. Home Visiting

Entering a service users home for the first time is stepping into an unknown and potentially dangerous situation. Depending on the nature of the work your visit can in some circumstances be perceived as threatening.

a. New referrals for home visits

- Project staff are responsible for collecting information and completing a referral form for all new referrals.
- A Home & Environment Risk Assessment Questionnaire must be completed to ensure that an initial risk assessment can be made.
- Where the referral is from a statutory agency it is essential to obtain a care plan/ risk assessment.
- If there is a level of identified risk you must discuss the situation with your line manager, who will agree upon one of the following options
 - That a colleague accompany you
 - A joint visit with the referrer
 - An interview in the office
 - That the referral is declined

b. Arrangements for home visits

You must ensure that:

- The appropriate manager knows exactly where you have gone and an estimated time of return.
- You report the appropriate manager after each home visit and make them aware of any change of plan.
- You make arrangements with the relevant out of hours officer for any out of hours visits.
- You take a mobile phone and ensure the appropriate manager has your number.
- You do not enter a home if the person to be visited is not present.
- Where the home visit is part of a rota its time must not be changed without the authorisation of the appropriate manager.

c. Following Initial Home Visits or Review Visits

Ensure that appropriate Risk Assessment is fully completed and discuss any risks with the appropriate manager.

3. Care Packages within a Service users home

a. New Referral - Assessments

- Prior to implementation of a home based support package, a home based assessment is to be completed by a senior staff member.
- The procedure for new referrals and arrangements for home visits, should follow sections 1, 2 and 3 of the Lone Working Document prior to commencing 4 below.

- The completed service user assessment including home and environment risk assessment will be stored within the service user care/support plan and made accessible to all staff working with the service user.

4. Introducing Support Workers to new service users

- Following the assessment, support staff will accompany a senior staff member on an introductory visit to the service users home premises, prior to them commencing work with the service user.
- Following the visit, the senior staff member will ensure the support workers have the opportunity to raise any lone working issues/concerns they may have. These will be recorded on the appropriate Risk Assessment and action implemented appropriately.
- Prior to working with a new service user staff will be fully briefed on the service users care plan and risk assessment.

5. Service Provision

- All staff who are working alone must follow Breckfield & North Everton Neighbourhood Council lone working policy issued during induction.
- Senior Staff members will keep support workers updated of any changes to care/support plans risk/assessment action plans.
- All staff will be fully briefed on the procedure for reporting any new lone working risks whilst working in the service users home. Lone working will be a regular discussion item for supervision of lone workers, based within a service users home.
- In the event of an emergency, the appropriate person will implement the lone working monitoring procedure.
- At the end of each shift support staff will inform the appropriate person of any concerns or issues.
- If you assess yourself to be at risk at any time during your shift you must remove yourself from the environment immediately, and inform a senior member of staff.

6. Out of hours Service Provision

- Should a lone working emergency arise out of office hours, the staff member will contact the designated Breckfield & North Everton Neighbourhood Council emergency service.
- Only support staff trained to undertake risk assessments and are assessed to be competent to provide care, will be assigned to emergency referrals out of office hours.

7. Buildings

Each Breckfield & North Everton Neighbourhood Council worksite has a procedure for locking up and for dealing with building related emergencies, which is subject to annual review.

a. Preparation for working alone in a building

It is your responsibility to:

- Ensure the designated person knows where you are, that you are alone and when you are expected to leave. You must let that person know when you have left the premises and are safely on your way home.
- Confirm that relevant risk assessment documents have been completed and discuss identified risks with your manager.
- Check that all rooms are vacated, the building is safe and passageways are clear, ensuring that front and rear exits are secure. It is recommended that this is done whilst other staff are still on site.
- Ensure your immediate exit way is clear and accessible.
- Ensure you have your mobile phone operational, available and to hand.

b. Arrangements for lone working appointments or working alone in a building

- Do not arrange to see new referrals whilst working alone.
- Do not admit anyone to the building except by prior arrangement, even if they are known to you.
- Ensure you have access to a telephone and emergency contact telephone numbers.
- Do not draw undue attention to your presence in the building, where possible place yourself away from windows out of view of passers-by.

c. Preparation for leaving the building

- Before leaving the building yourself, ensure you have escorted any visitors off the premises.
- Let the appropriate manager know when you have left the premises i.e. out of hours officer.
- Ensure you follow the locking up procedure for the building.
- Check the immediate outside area is 'safe' before stepping out from the building and have relevant keys to hand.
- Once outside position yourself so that you have maximum vision of activity in your vicinity and ensure you have direct access to a mobile phone or personal alarm.

8. Lone working procedure for working in the community

When working out in the community with service users, you need to be aware of potential risks depending on the nature of your work you may be required to visit people in their homes.

a. Preparation for meeting service user for the first time

- Prior to the implementation of a support package, a senior staff member is required to complete an assessment for the needs of the service user and an initial risk assessment.
- Ensure you carry a mobile telephone at all times and if preferred take a personal alarm.
- It is the responsibility of the senior staff member to ensure all relevant information required is forwarded to lone workers.
- Any staff member who has identified risk is responsible for discussing concerns and agreeing action with their line manager/senior staff member.
- Staff who are working alone must follow this lone working policy that is issued during induction.

b. Arrangements

It is your responsibility to:

- Ensure that you adhere to your weekly/monthly timesheet or worksheet. No changes to rota should be made without the authorisation of the appropriate manager
- Be aware of mode of transport used, ensuring it is accessible and regular. Discuss possible risks with your line manager.
- Ensure when working out of hours you have the out of hours contact number. At the end of each shift you are required to inform the appropriate person your shift has ended.

c. If working in service user homes

Follow section 2 & 3 of this Lone Working policy

d. Working out in the community

It is your responsibility to:

- Ensure you follow the identified care/support plan for each service user.
- Be aware of the venue you are visiting and identify any potential risks.
- Ensure when working late at night in the community you carry a mobile telephone and/or a personal alarm, if preferred.
- Remove yourself from any perceived risk and notify a senior member of staff or the ESO immediately.
- Notify the designated person/service that you have finished your shift/working day.

13. Maternity and Parental Leave Policy

Maternity Leave

1. All female employees who are pregnant are entitled to a period of maternity leave. It is your responsibility to notify your manager as soon as you discover you are expecting a baby.
2. You are entitled to take 52 weeks maternity leave in total: These 52 weeks are made up of 39 weeks of ordinary Maternity Leave ('OML') plus 13 weeks' additional Maternity Leave ('AML').
 - a. 6 weeks at 90% pay, including statutory maternity pay
 - b. 33 weeks statutory maternity pay at £135.45 per week.
 - c. 13 weeks maternity leave without pay.
3. You must notify us in writing, no later than 15 weeks before the baby is due, when you intend to commence your maternity leave.
4. We will reply in writing, confirming the details of your entitlement.
5. You may change the date of starting your maternity leave by notifying us in writing at least 28 days before your new start date.
6. You may come back to work sooner than your full leave entitlement, but you must give us 28 days' notice in writing. You are not allowed however to return to work for the first two weeks after the baby is born.
7. Maternity Leave will automatically start if you give birth prematurely, or if you are absent through a maternity related sickness at any time in the four weeks before the baby is due.
8. Your line manager will contact you during your maternity leave, to offer you the opportunity to meet to keep in touch with developments in the workplace.
9. Keeping In touch (KIT) days are for a maximum of up to 10 days (pro rata). We encourage employees to take advantage of the KIT days that are available to employees. Employees cannot work during compulsory maternity leave which is the two weeks immediately after your child is born. Where an employee comes into work on a KIT day they will be entitled to normal pay, without them risking the end of their maternity benefit. KIT days do not extend the maternity leave, the maternity pay continues in a week where keeping in touch work is done. Breckfield & North Everton Neighbourhood Council endeavours to use these days for the purpose of keeping employees informed of new developments and training days within Breckfield & North Everton Neighbourhood Council. KIT meetings will be arranged at a mutually agreed time, which is convenient for both the employee and their line manager. KIT days are not mandatory and employees are under no obligation to participate in, or agree to attend work for "Keeping in Touch" days.
10. Other than pay, all your terms and conditions remain in force while you are on ordinary maternity leave, and you have the right to return to your existing job. You will lose these rights if you do not return on the expected date, unless you can show evidence of sickness or injury.
11. Employees will continue to accrue contractual holiday entitlement during OML leave (1-39 weeks), in addition they will accrue statutory paid annual leave during any period of AML (40-52 weeks), but other entitlements included in terms and conditions of employment, will not be accrued.
12. Breckfield & North Everton Neighbourhood Council will pay you Maternity Pay as detailed below

- a. If you have worked for at least 26 weeks (15 weeks before the baby is due), and earn at least the “*Lower Earnings Limit*” (currently £109) per week, you should qualify for Statutory Maternity Pay. This is 90% of your wages for the first six weeks of your maternity leave and £135.45 per week for the 33 weeks (or 90% of your wages if this is less).
 - b. If you have not worked for long enough, or do not receive enough pay, you may be able to claim “Maternity Allowance” from the DSS. You should seek advice about how to claim this at the time.
13. You are entitled to time off, with normal pay, to attend antenatal appointments. This does not form part of your maternity leave entitlement. You must however have informed us of your pregnancy and, if requested, provide written confirmation of your appointment.

Parental Leave (including Paternity Leave)

1. If you are the father of, or have legal responsibility for, a child who is about to be born, you may be entitled to take up to 2 weeks paid Paternity Leave around the time of the birth.
2. All requests for paternity leave must be made no later than 15 weeks before the baby is due and must be for a period of at least a week. You must produce a copy of the maternity certificate, which shows the expected date of birth.
3. If you have worked for at least 26 weeks (15 weeks before the baby is due), and earn at least the “*Lower Earnings Limit*” (currently £109 per week), you should qualify for Statutory Paternity Pay. This is 90% of your wages, or £128.73 per week, whichever is the lesser.
4. If you are adopting a child, similar rules apply. Please contact ACAS for further information.
5. Parents of either sex can take up to 13 weeks unpaid leave in addition to any paid entitlement, until the child is age 5.
6. Leave must be taken in blocks of at least a week and you cannot take more than 4 weeks per year (other than in exceptional circumstances which the Director or Senior Manager may authorise).
7. You must give 21 days’ notice, in writing, of wishing to take parental leave
8. Other than at the time of birth/adoption, we may postpone your request for leave, if it is likely to cause serious operational problems. You will be allowed to take this leave within 6 months of your request.
9. If you adopt or acquire parental responsibility for a child, then your entitlement runs for five years from the date you adopted/became responsible for the child (or until the age of 18 if that is sooner). Again, if requested, you must provide evidence of your responsibility for the child.
10. If your child is entitled to disability living allowance, you are entitled to leave up to the child's 18th birthday.
11. In all cases, you are entitled to return to your current job, or if your leave has been for more than 4 weeks, to a job of the same terms, conditions and status.

Adoption Leave

1. Refer to terms and conditions of Maternity Leave, which will be applied in circumstances where a child is legally adopted.

Shared Parental Leave

This policy outlines the arrangements for shared parental leave and pay in relation to the birth of a child. It applies to employees. It does not apply to agency workers or self-employed contractors.

It sets out the Company's policy on:-

- what constitutes shared parental leave (SPL)
- eligibility for SPL & evidence of entitlement
- timescales
- opting in to shared parental leave and pay
- ending maternity leave and pay
- requesting split periods of leave
- changing or cancelling leave
- keeping in touch
- returning to work
- special circumstances

What is shared parental leave?

Shared parental leave (SPL) is a form of leave that may be available if your child is expected to be born on or after 5 April 2015.

It gives you and your partner more flexibility in how to share the care of your child in the first year after birth than simply taking maternity and paternity leave. Assuming you are both eligible:

- you will be able to choose how to split the available leave between you
- you can decide to be off work at the same time or at different times
- you may be able to take leave in more than one block.

The following conditions must also be fulfilled:

- you must have at least 26 weeks continuous employment with us by the end of the 15th week before the expected week of childbirth (EWC),
- still be employed by us in the week before the leave is to be taken;
- the other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the EWC and
- had average weekly earnings of at least £30 during 13 of those weeks;
- you and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.

You should note that the mother can share her leave with one other person only

Entitlement to SPL

You are entitled to SPL in relation to the birth of a child if:

- you are the child's mother, and share the main responsibility for the care of the child with the child's father or with your partner;
- you are the child's father and share the main responsibility for the care of the child with the child's mother; or
- you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

Evidence of entitlement to SPL

You must provide on request:

- a copy of the birth certificate or a signed declaration of the child's date and place of birth where a birth certificate has not yet been obtained
- the name and address of the other parent's employer, or;
- a declaration that they have no employer

Timescales for Shared Parental Leave

The total amount of shared parental leave available to you depends on a number of factors:-

- the total amount of SPL available is 52 weeks,
- the number of weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave) are deducted from these 52 weeks.
- if you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth [or four weeks for factory workers].
- if you are the child's father or the mother's partner, you can consider using your two weeks' paternity leave before taking SPL. Once you start SPL you will lose any untaken paternity leave entitlement. SPL entitlement is additional to your paternity leave entitlement. (*please also refer to the section on Paternity Leave*)

Opting in to Shared Parental Leave and Pay

Not less than 8 weeks before the date you intend to take SPL you must give us a written opt-in notice containing the following details:-

- your name and the name of the other parent
- the start and end dates of your maternity leave if you are the mother
- the start and end dates of the mother's maternity leave and Statutory Maternity Pay

(or Maternity Allowance if not entitled to SMP) if you are the child's father or the mother's partner

- the total SPL available to you (52 weeks minus the number of weeks maternity leave already taken or to be taken)
- how many weeks of available SPL will be allocated to you and how many to the other parent (you do not have to use your full allocation or can change the allocation by giving further written notice)
- the total Shared Parental Pay available to you (39 weeks minus the number of weeks of SMP or MA taken or to be taken)
- how many weeks of shared parental pay will be allocated and how much to the other parent (you do not have to use your full allocation or can change the allocation by giving further written notice)
- an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave
- declarations by you and the other parent that you both meet the statutory conditions to enable you to take Shared Parental Leave and Shared Parental Pay

Ending your Maternity Leave

If you are the child's mother and want to opt into the Shared Parental Leave Scheme you must do the following:

- give us at least 8 weeks' written notice to end your maternity leave (a curtailment notice)
- the notice must state the date your maternity leave will end
- you can give notice before or after the birth of your baby but;
- you cannot end your maternity leave until at least two weeks after the birth
- state, in writing, that you wish to opt-in to the shared parental leave scheme and include the necessary declarations required for that notice, (see opting in section above), or;
- a written declaration that the other parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice

The other parent may be eligible to take Shared Parental Leave from their employer before your maternity leave ends providing you have given the notice to end your maternity leave (curtailment notice).

The curtailment notice is binding and cannot usually be revoked unless:-

- your maternity leave has not yet ended
- you realise that neither you nor the other parent are eligible for Shared Parental Leave or Shared Parental Pay

If any of the above applies written notice to withdraw the application for Shared Parental Leave must be given:-

- within 8 weeks of the original request;
- up to six weeks after the birth; or

- if the other parent has died

Once you have revoked a curtailment notice you will be unable to opt back in to the SPL scheme.

Ending your partner's maternity leave or pay

If you are not the mother, but the mother is still on maternity leave or claiming SMP or MA, you will only be able to take Shared Parental Leave once she has:-

- returned to work
- given her employer a curtailment notice to end her maternity leave and/or SMP or;
- given the benefits office a curtailment notice to end her Maternity Allowance

Booking Shared Parental Leave

Once you have chosen to take SPL you must give us at least 8 weeks' notice of the dates on which you intend to start and end your leave. The notice can state either:

- the dates you want to take your leave or, if the child has not been born yet;
- the number of days after the birth that you want the leave to start and end

This may be useful if you intend to take paternity leave from the date of birth and wish to take SPL straight afterwards

- Leave must be taken in blocks of at least one week
- If your leave notice is for a single continuous block you will be entitled to take the leave set out in your notice
- You can give up to three period of leave notices to enable you to take up to three separate blocks of SPL. You should note that requests to vary or cancel a period of leave count as a period of leave notice.
- If your period of leave notice requests split periods of SPL, with periods of work in between, you should refer to the guidance in the section below

Requesting split periods of SPL

In general a period of leave notice should set out a continuous block of leave however; we may be willing to consider a period of leave notice where the SPL is divided into shorter periods with periods of work in between. If you wish to consider this option you should first discuss it with human resources before formally submitting your period of leave notice. You should leave plenty of time for us to consider your request and hopefully agree a pattern of leave with you.

If you want to request split periods of SPL you must set out the requested pattern of leave in your notice. We will either agree to the request or commence a two week discussion period. At the end of the discussion period we will confirm any agreed arrangements in writing.

If we have not reached agreement:

- You will be entitled to take the full amount of requested SPL in one continuous block commencing on the start date given in your notice (for example; if you have

requested three separate periods of four weeks they will be combined into one 12 week period of leave). Alternatively;

- You may choose a new start date within 5 days of the end of the two week discussion period (this new date must be at least 8 weeks after your original period of leave notice was given), or;
- You may withdraw your period of leave notice within 2 days of the end of the two week discussion period (in this case the notice will not be counted and you may submit a new one if you choose)

Changing or cancelling SPL

- You can change or cancel a period of leave by notifying us in writing at least 8 weeks before the start date in the period of leave notice.
- You can change the start date for a period of leave by notifying us in writing at least 8 weeks before the original start date **and** the new start date.
- You can change the end date for a period of leave by notifying us in writing at least 8 weeks before the original end date **and** the new end date.
- You can combine split periods of leave into a single continuous period by notifying us in writing at least 8 weeks before the start date of the first period.
- You can request that a continuous period of leave be split into two or more discontinuous periods, with periods of work in between. Any such request will be considered as set out in the paragraph on requesting split leave.

A notice to change or cancel a period of leave will count as one of your three periods of leave notice unless:

- the variation is a result of your child being born earlier or later than the EWC (expected week of confinement)
- the variation is at our request; or
- we agree otherwise

Premature Birth

Where the child is born before the expected week of confinement you may be eligible to start SPL in the eight weeks following birth even though you cannot give 8 weeks' notice. In such circumstances you should:

- have already given 8 weeks' written notice to start SPL immediately after the birth
- notify us of the change in date of birth
- request to bring forward your leave as soon as you can
- anticipate the possibility of bringing your leave forward by the same number of days the child is born early
- do nothing if your leave is scheduled to start a set number of days after the birth (rather than on a set date)

Shared Parental Pay

You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any SMP or MA claimed by you or your partner) if:

- you have at least 26 weeks continuous employment with us by the end of the qualifying week and
- your average earnings are not less than the lower earnings limit set by government each tax year
- you tell us in your period of leave notice that you intend to claim ShPP during your leave and for how long
- you give us at least 8 weeks' notice before you want ShPP to start if this was not in your period of leave notice

Terms & Conditions of Employment during SPL

- Your terms and conditions of employment remain in force during SPL except for the terms relating to pay
- Annual leave will continue to accrue at the rate outlined in your contract of employment. If SPL continues into the next holiday year any entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken immediately before returning to work unless the company agrees otherwise
- You should try to limit carry over to one week's holiday. Carry-over of more than one week will be agreed at the sole discretion of the company.
- All holiday dates are subject to management approval hence you should discuss your plans in good time.
- If you are a member of the pension scheme we will make employer pension contributions during any period of SPL, based on your normal salary, in accordance with the pension scheme rules
- Employee pension contributions are based on the amount of SPL you are receiving unless you inform human resources that you wish to make up any shortfall.

Keeping in Touch

Some contact during shared parental leave will usually be beneficial for employees and the company; this may include contacting you to keep you updated about changes in the workplace or to make arrangements for your return to work. You may also be asked to work or attend training on up to 20 SPLIT (shared parental leave keep in touch) days during your SPL.

- Each employee who takes SPL can work up to 20 SPLIT days
- There are a total of 40 SPLIT days available to each couple
- Mothers can take these additional 20 days on top of their 10 maternity leave keep in touch days
- SPLIT days reduce rather than extend the period of SPL available to an employee

- Any portion of a day worked will count as a full SPLIT day
- Working KIT and SPLIT days is entirely optional; the employer is under no obligation to offer them and the employee does not have to work them
- You will be paid at your normal hourly rate for any time worked on a KIT or SPLIT day

Returning to Work

If you want to end a period of SPL early you must give us 8 weeks' written notice of the new return date. If you have already given us three period of leave notices you will not be able to end your SPL early without our agreement.

If you have sufficient SPL entitlement remaining and wish to extend your leave you must give us written notice at least 8 weeks before the date you were due to return to work. If you have already given three periods of leave notices you will not be able to extend leave without our agreement.

Additional leave, either by utilising holidays or ordinary parental leave, will be subject to the needs of the business (*please refer to the Parental Leave policy*).

You are normally entitled to return to work in the position you held before starting SPL however, if it not reasonably practicable for us to allow you to return to the same position we may give you another suitable and appropriate job on terms which are no less favourable if:

- Your SPL and any maternity or paternity leave you have taken adds up to more than 26 weeks in total (irrespective of whether or not taken consecutively); or
- If you took SPL consecutively with more than 4 weeks of ordinary parental leave

If you wish to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract

Special Circumstances

In certain situations an employee's rights and requirements to take SPL do change

Premature Birth – see section above

Death of a child- If death of a child should occur before or during birth, or within the first year

- If death should occur before an opt in notice is submitted entitlement ceases as a qualifying condition is caring for a child
- The mother will remain entitled to maternity leave and her partner may still qualify for statutory paternity leave

- If SPL has been booked parents will still be entitled to take it however no additional leave can be booked.
- One variation notice can be given to reduce a period of leave or to change a discontinuous leave arrangement into one single block of leave
- An employee who is absent on SPL may cancel agreed SPL and return to work by giving eight weeks' notice of their intent to return

Partner no longer caring for the child

If a partner ceases responsibility for caring for the child (other than if the child has died) entitlement to SPL and ShPP immediately ends.

- You should inform us immediately of your change of circumstances
- If you have any SPL arranged within 8 weeks of your entitlement ceasing we may still require you to take the leave (for example: if cover has already been arranged)
- Any weeks of SPL arranged after 8 weeks of your entitlement ceasing will be cancelled
- If the remaining parent continues to care for the child they remain eligible to take their SPL
- Transfer of outstanding SPL from the subsequently ineligible partner is possible only with the signed agreement of that partner (*see section on changing or cancelling SPL*)

Death of a parent during the child's first year

If either parent dies and the other parent is taking or is entitled to SPL then they will continue to be eligible

- Any SPL that was due to be taken by the deceased parent may be transferred if the other parent is eligible for SPL
- Notice may be given to vary pre-agreed leave as soon as is reasonably practicable if eight weeks' notice cannot be given
- In these circumstances, if three notices of leave have already been submitted, the parent is allowed to submit one further notice to book or amend SPL

Multiple births and adoptions

An employee is not entitled to extra SPL or ShPP if they are expecting more than one child

- Entitlements are, like maternity leave, the same as if the employee was expecting one child
- This also applies to multiple adoptions that occur in a single placement

Further information and guidance on Shared Parental Leave can be found on the ACAS website www.acas.org; or on the government website www.gov.uk/sharedparentalleave

14. Mobile Phone Policy

Summary

This procedure outlines the issue and return of mobile phones, payment of non-work related personal calls and your responsibilities as a mobile phone user. It also outlines the requirements of the use of personal mobile phones within the workplace.

1. Use of Personal Mobile Phones

The use of personal mobile phones is permitted within the Charity provided it does not interfere with the well running of the organisation and does not impact on Service Delivery.

2. Health & Safety Responsibilities

Law came into force on 1st December 2003. It is now a criminal offence to use a hand held mobile phone while driving. Under **no circumstances** should you take calls, access emails or texts whilst driving in accordance with current legislation.

BNENC Phones (if Issued) **MUST** be switched off completely whilst driving. Calls should only be made when you are safely parked off the road and ensure your engine is switched off. In cases of emergency, you must assess the situation and ensure that you do not breach legal safety rules and regulations.

All mobile phone holders should utilise the personal PIN option to further secure their phone.

Should a member of staff be issued with a BNENC phone, the individual needs to inform the Financial Director of any changes to PIN, damage etc. within 3 days, so that central records can be updated.

Repeated loss or damage of a BNENC mobile phone (if issued) may result in the mobile phone not being replaced, and other arrangements being facilitated.

I ACKNOWLEDGE RECEIPT OF THE MOBILE PHONE POLICY AND FULLY UNDERSTAND THE INFORMATION PROVIDED.

SIGNED (Employee)

NAME IN CAPITALS.....(Date)

15. NO SMOKING POLICY (INCLUDING E CIGARETTES)

Policy Statement

“It is the policy of Breckfield & North Everton Neighbourhood Council to protect, so far as is reasonably practicable, employees and members of the public from the effects of exposure to tobacco smoke; smoke produced from e-cigarettes and any other e-smoking device.”

Aim of The Policy

1. The aim of Breckfield & North Everton Neighbourhood Council’s No Smoking Policy is to protect non-smoking staff and public in relation to the risks associated with passive smoking, and to ensure, so far as possible, their comfort and well-being in Breckfield & North Everton Neighbourhood Council premises. This will also serve to minimise any possible future losses, in relation to litigation.

Introduction

2. These guidelines are intended to help Managers and staff to take a practical and consistent approach to the operation of Breckfield & North Everton Neighbourhood Council’s No Smoking Policy. The buildings are strictly a non-smoking buildings.

Designated Smoking Areas

3. The primary purpose of establishing designated smoking areas outside Breckfield & North Everton Neighbourhood Council’s work space is to ensure by means of segregation, that non-smokers’ health is unaffected by those who smoke. This relates in particular to employees working within Breckfield & North Everton Neighbourhood Council’s building, but also extends to other tenants and non-employees. All employees must ensure that they only smoke in designated smoking areas at all times.

Enforcement of the Policy

4. Generally it is considered that most employees are complying with the policy and therefore it is unlikely that the need to consider disciplinary action will arise. However Line Managers must encourage staff to comply with the Policy and must take appropriate action when non-compliance is evident – ‘turning a blind eye’ is not acceptable. Line managers must continue to monitor the situation.
5. It is vital that Managers lead by example and comply with the policy.
6. To demonstrate commitment and lend support to the continued successful implementation of the Policy, it is important to consider those instances for which cautions/disciplinary action may, as a last resort, be appropriate.

Guidelines

Staff

7. Those instances for which disciplinary action may, as a last resort, be considered appropriate are outlined below:
 - a. Staff who smoke in 'No Smoking Areas'
 - b. Staff who repeatedly smoke during working hours

General Public and Clients

8. As part of Breckfield & North Everton Neighbourhood Council's Health & Safety Policy, it is important that visitors must be made aware of Breckfield & North Everton Neighbourhood Council's No Smoking Policy by the member of staff they are visiting.

Although staff may encourage and constantly remind visitors about the

No Smoking Policy occasionally some visitors may forget or choose to ignore it. Such situations must be dealt with appropriately and sensitively by staff, with consideration for the safety and welfare of all concerned.

The overriding concern is that staff do not put themselves at risk from violent abuse or even assault, by confronting visitors who insist on smoking. Wherever staff attempt to enforce the Policy on behalf of Breckfield & North Everton Neighbourhood Council, their line managers should support them.

16. Breckfield & North Everton Neighbourhood Council Staff Annual Appraisal Guidance

The Staff Annual Appraisal form will be sent to the member of staff being appraised 10 days prior to their annual appraisal review. The appropriate sections must be completed and electronically transmitted to their line manager 3 days prior to their appraisal meeting.

(A) Objectives and outputs for the 12 months being appraised

This section will be completed by the member of staff being appraised and contain all the objectives and outputs agreed with your manager for the 12 months being appraised

(B) Objectives and outputs achieved during the 12 months being appraised

This section will be completed by the member of staff being appraised and contain all the objectives and outputs achieved during the appraisal period.

(C) Objectives and outputs not achieved during the 12 months being appraised and reasons why

This section will be completed by the member of staff being appraised and contain all the objectives and outputs not achieved during the appraisal period. It must also include the reasons why. This may include cancellation of objective, refocusing of business objective, financial or resourcing constraints, lack of clarity, unrealistic expectation etc.

(D) Training & Development Needs identified during the 12 months being appraised

This section will be completed by the member of staff being appraised and contain all the training and development needs identified during the appraisal period, by whom (self, manager, corporate), the reasons why the need was identified, if it has been delivered and the benefit to their roles and responsibilities.

(E) Attendance Management

This section will be completed by the member of staff being appraised and contain a list of absences during the 12 months being appraised and reasons why: sickness, special leave, compassionate leave etc.

(F) Assessment of the Member of Staff's Performance

This section will be completed by the line manager at the conclusion of the appraisal meeting. They will break the assessment down into the various component parts i.e. visible leadership, business or service delivery, staff development, creativity and innovation etc.

(G) Development Issues and Action Plans for the forthcoming year

This section will be completed by the line manager at the conclusion of the appraisal meeting and will reflect the contents of the meeting and who has identified the development issue, the manager, line manager, corporate requirement, or business refocus etc. It will be an agreed action plan with appropriate time lines and expected outcomes.

(H) For completion by Member of Staff being appraised after meeting with Line Manager

This section will be completed by the member of staff being appraised. It will allow them to read the comments in sections (F) and (G), identify that they have had the opportunity to discuss their performance, development needs and forthcoming action plan with their line manager. They will also be able to identify that they agree or disagree with their line manager's assessment and make any comment they wish to do so.

They will sign and date the appraisal document. Signing the document does not indicate that the member of staff agrees with the line manager's assessment but rather that they have had the opportunity to read it.

(I) For completion by Line Manager

This section will be completed by the line manager after reading the comments in section (H). They will respond to the comments made in that section and evidence their reasons for the way they have written up the appraisal. They will then meet with the member of staff and communicate this to them.

**17. Breckfield & North Everton Neighbourhood Council
Staff Annual Appraisal Review**

Member of Staff	Name:	
Department:		Date of appointment to current position:
Date of appraisal:	For the period:	
Reference:	Line Manager:	

(A) Objectives for the 12 months being appraised

(B) Objectives achieved for the 12 months being appraised

(C) Objectives not achieved during the 12 months being appraised and reasons why

--

(D) Training & Development Needs identified during the 12 months being appraisal

	Delivered

(E) Attendance Management (List absences during the 12 month period being appraised and reasons why: sickness, special leave etc)

(F) Assessment of Staff Performance for the 12 months being appraised and reasons why (to be completed by Line Manager) (should there be a requirement to tick more than one box, please identify the business or skill area the assessment relates to).

(G) Development issues for the forthcoming year (Action Plans to be agreed between Manager and Line Manager)

--

(H) For completion by staff member being appraised after meeting with Line Manager

I have discussed my performance and development needs with my Line Manager	Yes / No
I agree with my Line Manager's assessment of my performance	Yes / No
I wish to make the following comments:	
Signed:	Date:

(I) For completion by Line Manager

Comments:

Signed::

Date:

18. Sickness Absence Policy

1. Introduction

The Sickness Absence Policy applies to all employees and workers carrying out services for Breckfield & North Everton Neighbourhood Council. This policy confirms your legal rights and obligations but, except where stated otherwise, does not form part of your contractual terms of employment and may be amended by Breckfield & North Everton Neighbourhood Council.

Breckfield & North Everton Neighbourhood Council will provide fair and reasonable support to all staff when they are absent from work due to illness. In order to provide such support, Breckfield & North Everton Neighbourhood Council will need to communicate closely with every member of staff, in the event of any illness; to ensure that they are provided with the best support and advice to facilitate their return to work.

2. Persistent Short-Term Sickness

In the event of persistent periods (more than three periods or a total of more than 10 working days in 12 months) of short term sickness absence, you will be required to attend a formal absence review. This review will identify if there are any underlying reasons for the sickness. The review will also set targets for future attendance, in order to avoid the requirement to issue warnings under the Disciplinary Procedure for.

3. Notification when absent due to sickness

You must notify all sickness absences to Breckfield & North Everton Neighbourhood Council to enable us to administer sick pay and adequately monitor and address sickness absence on a fair and consistent basis.

On the first day of any sickness absence you must ensure that your manager is informed by telephone of your sickness within 1 hour of your start time. You should also give details of the nature of your illness and the date on which you expect to return to work. It is not acceptable to notify your manager by text or email.

You must inform Breckfield & North Everton Neighbourhood Council as soon as possible of any change in the date of your anticipated return to work, again by telephone.

Sickness absence of up to and including seven consecutive days must be fully supported by a self-certificate and thereafter by one or more doctor's certificates provided to Breckfield & North Everton Neighbourhood Council at intervals of no more than seven days during the period of sickness absence.

You must see your manager on the first day of your return to work after a period of sickness absence and complete a self-certificate form if applicable.

You should provide your contact details throughout the period of your illness and advise your line manager of any meetings that should be cancelled or other urgent matters which need attention. In the absence of your line manager, you must speak to the Director or a Senior Manager and provide the same information.

During your incapacity you may be contacted by your line manager or other appropriate personnel to ascertain your state of health and to deal with any work queries. Such calls are not intended to be intrusive and you should give as much assistance as is reasonably necessary.

If you fall ill or have an accident while at work, you should notify your line manager immediately. You may be asked to complete an accident report form, where appropriate.

4. Certification requirements

If your sickness absence lasts for seven calendar days or less, you must complete a self-certification form on your return to work.

If your absence lasts for more than three calendar days, you must produce a medical certificate from your doctor covering the period of your absence stating the reason for your absence and whether or not you are fit for any work. Further certificates should be provided to run continuously for the period of the absence. It is your responsibility to obtain a medical certificate.

Where your GP issues a fit note indicating that you may be fit for some work, with or without suggestions of ways of achieving an early return to work such as a phased return to work, amended duties, altered hours and/or workplace adaptations, we will discuss with you whether or not it would be practicable for you to return.

If these requirements are not met and other leave procedures have not been followed, Breckfield & North Everton Neighbourhood Council will be entitled to treat the absence as unauthorised, which could lead to disciplinary action being taken against you under Breckfield & North Everton Neighbourhood Council's disciplinary procedure. This may also mean that you do not receive sick pay, whether statutory or contractual or both.

5. Unauthorised absence

It is a term of your employment that Breckfield & North Everton Neighbourhood Council reserves the right to withhold payment or deduct a day's pay from your salary for each day of unauthorised absence. Any decision concerning this matter will be made by a Director or Senior Manager in consultation with your line manager. You may be subject to disciplinary action under Breckfield & North Everton Neighbourhood Council's disciplinary procedure (up to and including summary dismissal) for any unauthorised absences.

Unauthorised absence means failing to turn up for work at the appropriate time, or at all, unless the absence is due to:

- sickness which has been notified to Breckfield & North Everton Neighbourhood Council in accordance with this policy and your contract of employment;
- leave for which prior written permission has been granted by the appropriate person; or

- reasons outside your control which are acceptable to Breckfield & North Everton Neighbourhood Council.

In all cases during sickness absence, Breckfield & North Everton Neighbourhood Council expects you to do your utmost to facilitate a speedy return to fitness and work.

6. Statutory sick pay

You may be eligible for statutory sick pay (“SSP”), which is payable for a maximum of 28 weeks in any period of incapacity to work, provided you satisfy the conditions below. SSP is subject to deductions for tax and National Insurance Contributions.

You may be entitled to SSP if you:

- a. have average weekly earnings of at least the lower earnings limit for Class 1 National Insurance Contributions;
- b. are incapable of work for four or more consecutive days [including weekends and bank holidays]; and
- c. are sick on qualifying days, which are [Monday to Friday].

The first three qualifying days are called “waiting days”, during which no SSP is payable. SSP only falls due on the 4th and subsequent qualifying days. However, if two or more absences of four or more consecutive days occur within eight weeks (i.e. 56 calendar days or less), they will be treated as linked and will be regarded as a single period of entitlement. The maximum length of SSP is 28 weeks for any one period of entitlement.

Breckfield & North Everton Neighbourhood Council reserves the right to investigate your reasons for absence or not to make payments of SSP if it considers that you are not genuinely ill or that your illness or injury does not prevent you from working.

Further information on SSP, including the up-to-date SSP rate, can be obtained from insert name.

7. Medical examination

Breckfield & North Everton Neighbourhood Council reserves the right to require you to undergo a medical examination at its expense by a medical practitioner appointed or approved by Breckfield & North Everton Neighbourhood Council. You will be requested to authorise that medical practitioner to disclose to Breckfield & North Everton Neighbourhood Council [and its advisors] the result of the examination and discuss with it [or them] any matters arising from the examination which are relevant to your ability to carry out your duties. You will also be requested to consent to the medical advisor having access to your medical notes.

If the medical report confirms that your sickness is linked to an underlying disability, we will talk to you about any reasonable adjustments which can be made to your job content or method of working.

8. Medical appointments

Whenever possible, you should arrange your medical appointments at the start or end of your working day and agree your time off in advance with your line manager. Where a significant amount of time is lost to medical appointments, Breckfield & North Everton Neighbourhood Council reserves the right to withhold wage payments.

9. Sickness absence management procedure

We understand that sometimes illnesses can last a considerable period of time or you may suffer frequent short periods of illness. In either situation, Breckfield & North Everton Neighbourhood Council may choose to implement the sickness absence management procedure, in line with the “ACAS Guidelines on Managing Attendance and Employee Turnover” as follows:

- In any rolling 12 month period prior to the first day of absence, the employee has accrued a total of more than 10 working days sickness.
- In any three month settlement period, the employee has more than two periods of sickness.

Following these trigger points; a formal return to work review will be required with Breckfield & North Everton Neighbourhood Council Manager. This review will be the opportunity to discuss your ill-health, identify any support you may require and set out the levels of attendance required over an agreed period of time, in order to prevent any formal warnings being issued.

At this and all subsequent meetings, you have the right to bring a colleague or trade union representative to accompany you. Your companion can assist you but not answer questions on your behalf. Any action plan (including any adjustments to your job) that is agreed with you at that meeting will be provided to you in writing.

Where you are unable to attend the workplace, it may be possible to hold such a meeting at another venue, if practicable.

If there is no improvement in your health or attendance record, it may be necessary to consider terminating your employment. You will be advised of this possibility in advance of any final decision being made and you will also have the opportunity to appeal against any decision to dismiss you.

In the event of any sickness being related to a disability or pregnancy, reasonable adjustments will be made to take account of such absences.

19. Whistleblowing Policy

The purpose of this policy is to encourage staff who have any concerns about breaches of law, codes of practice, ethics or any other perceived wrongdoing to make known their concerns to Breckfield & North Everton Neighbourhood Council promptly and properly. Breckfield & North Everton Neighbourhood Council is committed to maintaining the highest standards of integrity, honesty and professionalism in the workplace. The policy applies to employees, workers *and volunteers* at all levels of Breckfield & North Everton Neighbourhood Council.

The policy sets out a procedure which it encourages staff to follow if they wish to report any matter. Breckfield & North Everton Neighbourhood Council understands that staff may not always feel comfortable discussing their concerns internally but reassures all members of staff that any matter raised will be treated with proper consideration. Staff should be reassured that no person who makes a bona fide report in good faith by following this procedure will be subjected to any detriment as a result of doing so. Should any person believe they have suffered any detriment by invoking the procedure they should inform Paul Robinson, Operations Manager immediately.

The policy and procedure comply with the requirements under the Public Interest Disclosure Act 1998 ('PIDA', incorporated into the Employment Rights Act 1996). Members of staff are particularly encouraged to follow the procedure set out below in order to ensure protection for themselves under PIDA if they have a concern about any wrongdoing at work, including the following:

- A criminal offence
- A failure to comply with legal obligations
- A miscarriage of justice
- A health and safety danger
- An environmental risk
- Concealment of any of the above

There may be other matters of concern that a member of staff wishes to raise and they can use the procedure for this purpose. It is not, however, appropriate to use the procedure for personal complaints which are more appropriately dealt with by way of a grievance. If a member of staff is unsure which procedure to use, they should discuss the matter first with Paul Robinson, Operations Manager who will guide them.

Allegations which are made in bad faith may render the individual making the allegation liable to disciplinary action.

Procedure

Breckfield & North Everton Neighbourhood Council encourages you to raise any concern in the first instance with your line manager, either orally or in writing.

If the line manager feels unable to deal with your concern he/she may refer it to a **Director, Senior Manager or Trustee**. If your line manager is the subject of your complaint or you feel unable to discuss it with them for any other reason (perhaps because the matter is too serious), you should raise the issue with a Trustee.

A meeting will be arranged as soon as is reasonably possible to discuss your concern with you. Where appropriate, you may be asked to provide information and evidence substantiating your concern. You are entitled to bring a colleague or union representative to any meeting in connection with this policy. Both you and your colleague must respect the confidentiality of your disclosure and any matter in relation to it under this policy.

You will be provided with a copy of any formal note taken of the meeting and you will be advised how Breckfield & North Everton Neighbourhood Council intends to proceed. You will also be advised of the likely timescale of any further investigation which may be necessary.

Breckfield & North Everton Neighbourhood Council understands the desire, in some cases, for anonymity. However, where a person making a disclosure wishes to remain anonymous, this is likely to impede any investigation. It is, of course, preferable to disclose a concern anonymously than not to disclose it at all but members of staff are encouraged to disclose matters openly. Breckfield & North Everton Neighbourhood Council will endeavour to ensure that your identity is kept secret, save where it is necessary to disclose this (for example to the regulator).

If you have any further worries about this, you may wish to discuss it with Public Concern at Work, an independent whistleblowing charity.

You will be advised of the outcome of the meeting and any investigation, although it may be necessary to keep some matters confidential from you (for example, where any disciplinary action has been taken against another member of staff).

In the event that you feel the matter has not been resolved satisfactorily, you may pursue the concern with a Trustee.

Breckfield & North Everton Neighbourhood Council recognises there may be matters that cannot be addressed internally and which should be referred to external authorities. Where this becomes necessary Breckfield & North Everton Neighbourhood Council may make such a referral without your express consent.

Save in exceptional circumstances you should not disclose your concerns outside Breckfield & North Everton Neighbourhood Council unless you have first provided Breckfield & North Everton Neighbourhood Council with the opportunity to address the problem.

Breckfield & North Everton Neighbourhood Council
Safeguarding Children and Vulnerable Adults Policy

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1. PURPOSE

BNENC is committed to the wellbeing and safeguarding of children and vulnerable adults, and is determined to ensure all necessary steps are taken to protect children and vulnerable adults from harm. This policy outlines the principles and values of the Charity and is designed to ensure that Trustees, staff, volunteers and third party providers understand their responsibilities in protecting children and vulnerable adults and those requiring protection from harm and neglect. It also identifies the steps staff should take if abuse of a child or an adult occurs or is suspected.

2. SCOPE

The policy applies to all employees of BNENC, volunteers and third party providers who may come into contact with children from unborn up to 18 years of age and vulnerable adults. It also applies to other children and vulnerable adults in the wider community that come to the attention of BNENC staff and or representatives in the course of their work or duties.

3. ROLES & RESPONSIBILITIES

Safeguarding children and vulnerable adults is everyone's responsibility and all staff and representatives should have a basic understanding of their role in protecting vulnerable adults.

3.1 The Trustee Board

The BNENC Trustee Board has overall responsibility for ensuring children and vulnerable adults who come into contact with the Charity's services are protected from abuse and appropriate action is taken if abuse is alleged or suspected. The Board will monitor performance on an annual basis.

The Director of Operations and the Director of Funding and Development will monitor Safeguarding performance and will alert the Trustee Board of any concerns.

3.2 The Leadership Team

The Director of Operations and the Director of Funding and Development are responsible for ensuring action is taken to prevent and or respond to allegations of abuse in accordance with this policy. They are also responsible for ensuring this policy is discharged effectively across their divisions and communicated to all staff, and their responsibilities are carried out under this policy.

They will make certain that robust, safe recruitment, selection and vetting procedures are implemented.

They will ensure that all staff, volunteers and third party providers have a basic understanding of their roles and responsibilities in protecting children and vulnerable adults.

They will ensure training is made available to all key personnel and the training provided will respect diversity in relation to culture, race and disability and promote equality.

They will raise the awareness of abuse and Safeguarding children and vulnerable adults and ensure information is provided for services users and the general public.

3.3 Managers

All Managers will ensure their teams are carrying out their responsibilities in accordance with this policy and that training is attended by key personnel. The level of training required for each staff member is dependent on their degree of contact with children and vulnerable adults. This will include staff working in and around clients' homes and schemes etc.

- Any Safeguarding issues should be monitored and discussed under the Health and Safety Agenda at team meetings.
- All Managers will ensure all concerns and allegations of abuse are taken seriously and responded to appropriately.
- Provide advice and information relating to safeguarding concerns.

- Receive and record information from employees, volunteers, third party providers, parents and carers who have safeguarding concerns.
- Where appropriate assessing the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate.
- Where appropriate, consulting initially with Children Services and Adult Services about the concerns as soon as possible, and in emergencies the Police.
- Where appropriate, making a formal referral to a statutory agency or the police without delay and ensure the proper transfer of information.
- Providing training at the level identified as appropriate for all posts within the organisation and in particular ensuring that all staff who work with or have contact with vulnerable adults are appropriately trained.

Managers will ensure service users and the general public are provided with information in a range of accessible formats including meetings with service users and their families and carers, individually and as groups.

3.4 Staff, volunteers and third party providers

All staff, volunteers and third party providers should actively safeguard and promote the welfare of children and vulnerable adults. All should ensure they are aware of, and comply with this policy and attend training as required.

- Staff, volunteers and third party providers will ensure they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of vulnerable adults.
- Staff, volunteers and third party providers will ensure they deal with any incidents of abuse or suspected abuse of vulnerable adults in accordance with this policy.
- Concerns that a vulnerable adult may be at risk of or suffering from abuse or neglect should always be reported to a senior member of staff.
- Reasons for the concern and actions taken must be documented.

- Ensure staff, volunteers and third party providers understand the level of training appropriate for their post and that they feel confident in working within this environment and able to communicate with their managers to ensure that they have the knowledge and skills to carry out their tasks in relation to safeguarding.

Treating all children and vulnerable adults with whom they come into contact while carrying out their work equally and with respect.

4 POLICY STATEMENT

4.1 Definition of vulnerable adults

The term “vulnerable adult” is defined by the Law Commission as: “Someone of 16 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation”. *“Making Decisions” Lord Chancellor’s Department 1999*”

N.B.

Although the above definition refers to those aged over 16 years, allegations of abuse of 16 and 17 year olds would be dealt with under the Safeguarding Children Procedure and existing Child Care legislation.

4.2 Definition of abuse

Abuse is defined as... “a violation of an individual’s human and civil rights by any other person or persons.” (*Department of Health 2000*)

Abuse of a person at risk may consist of a single act or repeated acts. It may be an act of neglect or omission to act, it may occur where a vulnerable person is persuaded to enter into a financial or sexual transaction to which they do not or cannot consent. Abuse can occur in any relationship and any setting and may result in significant harm to, or exploitation of the individual. In many cases it may be a criminal offence.

4.3 Definition of Child abuse

Child abuse – **mistreatment of child:** severe mistreatment of a child by a parent, guardian, or other adult responsible for his or her welfare, e.g. physical violence, neglect, sexual assault, or emotional cruelty and covers children from unborn through to 18 years of age.

4.4 Safeguarding Children and Vulnerable Adults includes the following

- Prevention of abuse or neglect
- Recognition of vulnerable people at risk of, or suffering from abuse or neglect.
- Enquiry
- Assessment, planning and review
- Monitoring

4.5 When does Self Neglect meet Eligibility for a Safeguarding Response?

4.5.1 The adult safeguarding procedures will apply where a person at risk has been identified as experiencing serious self-neglect which could result in significant harm to themselves or others and:

- There are concerns about the person's capacity to make the relevant decisions.
- They have refused essential services, without which their health and safety needs cannot be met.
- The person has terminated services which had been arranged as a result of an assessment of health or social care needs.
- The care management process/care programme approach has not been able to mitigate the risk of this 'serious self-neglect which could result in imminent significant harm.'

4.5.2 In these circumstances, all agencies must consider a response under the Multi-agency safeguarding Adults Policy and Procedures. Every attempt must be made to include the person at risk in this process and to apply the Principles set out in Appendix 1.

4.6 Context in which adult abuse might take place

Abuse can take many forms, but these are examples taken from the revised Hampshire County Council Adult Safeguarding Policy.

4.6.1 Institutional abuse

Institutional abuse occurs when the routines, system and regimes of an institution result in poor or inadequate standards of care and poor practice,

which affects the whole environment and denies and restricts the dignity, privacy, choice and independence of an individual.

4.6.2 Hate crime

Hate crime is defined as any crime that is perceived by the victim or any other person to be racist, homophobic, transphobic or due to a person's religion, belief, gender identity or disability.

4.6.3 Mate crime

Mate crime happens when someone is faking a friendship in order to take advantage of a vulnerable person. Mate crime is committed by someone known to the person. A 'mate' may be a 'friend', family member, supporter, paid staff or another person with a disability.

4.6.4 Domestic abuse

Domestic violence is defined as "Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless to gender or sexuality. This can be the following, but the list is not limited to these types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

4.6.5 Personal budgets, direct payments and self directed care

People who direct their own care and support should be enabled to manage their personal budgets and direct payments in a safe way. A culture that promotes positive risk taking, based on appropriate person centred policies, supports this approach and seeks to empower individuals.

4.6.6 Honour based violence

"Honour based violence is a crime or incident, which as or may have been committed to protect or defend the honour of the family and/or community."
(*Crown Prosecution Service/ Association of Chief Police Officers*)

4.6.7 Forced Marriage

A marriage which one or both parties are married without their consent or against their will.

4.6.8 Carers at risk of harm

Carers may be at risk by the person they offer care to. Carers also have a legal right to an assessment of their needs. In some cases both the carer and the supported person can be considered to be at risk of harm.

4.6.9 Carers who cause harm

On occasions carers may cause intentional or unintentional harm. Cases of unintentional harm may be due to lack of knowledge, or the carer's own physical or emotional needs make them unable to care adequately for the vulnerable adult.

4.7 Legislation and Best Practice

We are committed to complying with the requirements of the law and good practice in this area. This policy has been produced in accordance with Department of Health Guidance "No Secrets" which will remain as statutory guidance until at least 2013. and has taken into account the implementation of the Mental Capacity Act 2005 National Framework 'Safeguarding Adults' and the Public Interest Disclosure Act 1998.

Department of Health Statement of Government Policy on Adult Safeguarding.

The Children Act 1989 established the paramountcy principle – The welfare of the child is paramount. The Children Act 2004 establishes the need for collaboration and partnership working as key in securing successful outcomes for children and families. A multi disciplinary approach to identification, planning and review should be the norm for all families where intervention is considered necessary.

4.8 Partnership

We have effective local information-sharing and multi-agency partnership arrangements in place and understand these.

We foster a "one" team approach that places the welfare of individuals above Organisational boundaries.

The Vulnerable Adult is confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature.

They should be confident that agencies will work together to find the most effective responses to their own situation.

4.9 Reporting and Monitoring

In accordance with legislation and best practice BNENC will establish and maintain effective quality assurance systems for monitoring and reporting Children and Adult safeguarding issues and will share all relevant child protection or adult protection information across agencies.

4.10 **Regulations referrals and recruitment** (Staff working alongside children or vulnerable adults)

4.10.1 **Recruitment**

The coalition government 2010 - decided to relax the criteria for individuals registering with the Independent Safeguarding Authority – ISA for the time being.

The Disclosure and Barring Service (DBS) now processes requests for criminal records check for staff working with vulnerable adults or children as part of the recruitment process.

4.10.2 **ISA Referrals**

Where allegations of abuse have been substantiated against a member of staff a referral will be made to the ISA, and to the Care Quality Commission (CQC) if the individual has been working in a Care Services environment.

4.11 **Non Compliance**

4.12 Non-compliance with this policy will be dealt with as a performance issue and if appropriate it may be considered as gross misconduct.

5 **FEEDBACK PROCESS**

BNENC welcomes feedback, good or bad. Any one receiving or affected by our services can complain, offer suggestions or give praise. All feedback is treated in confidence.

BNENC appreciate positive comments when things go well, and also recognise that sometimes things go wrong or that we may not meet our services standards. If they do, we will apologise and aim to put things right promptly and fairly at an early stage. No-one will receive any different treatment because of feedback.

We will learn from managing and resolving complaints to ensure we make real improvements to our services, and appreciate customer feedback to let us know what is working well, whether we can make further improvements, and ideas or suggestions about how to better deliver services to our customers.

If you would like to make a compliment, suggest an improvement or complain about any service received from us please [click here](#) to complete and submit a short online form.

6. LINKS WITH OTHER POLICIES

Staff Code of Conduct

Confidentiality Policy

Staff Disciplinary Procedure

Equality & Diversity Strategy

Harassment Policy

Health & Safety Policy

Lone Worker Policy

Data Protection Policies

Personal Safety Policy

Whistleblowing Policy

Recruitment and Selection Policy and Procedure

Anti Social Behaviour Policy

BNENC – Mission, Visions & Values

7. MONITOR AND REVIEW PROCESS

The Director of Operations and Director of Funding and Development are responsible for reviewing this policy and procedure annually or more frequently if required in line with changes in legislation and good practice. To ensure the review is comprehensive they will liaise with colleagues, partners and Social Services and other groups as appropriate.

The Trustee Board will oversee the monitoring of all reports of suspected or alleged abuse.

8. SUPPORT FOR CORPORATE POLICIES AND PROCEDURE

The Policy supports BNENC Mission and Values statements and Equality and Diversity Scheme.

9. COMMUNICATION PROCESS

Managers will ensure this policy and associated procedure is provided for all managers and their teams.

All staff, volunteers and third party providers will be provided with information about the policy and procedure during their induction.

Managers will ensure training is provided for all staff, volunteers and third party providers.

10. RECORDS

All records will be kept in accordance with the Safeguarding Children and Vulnerable Adults Procedure.

The Principles

The Department of Health sets out the Government's statement of principles for use by Local Authority Social Services, Health, Police and other Agencies.

Principle 1: Empowerment

- Give individuals relevant information about recognising abuse and the choices available to them to ensure their safety. We will give clear information about how to report abuse and crime and any necessary support in doing so.
- We will consult the Vulnerable Adult before we take any action and ensure that they are consulted about the outcomes they want from the safeguarding process to the extent that they might want or are able.
- Where someone lacks capacity to make a decision, we will always act in his or her best interests. See Mental Capacity Act and Procedure.
- Publicise 'Safeguarding Adults' and provide information that is easily understood to our clients, carers and the general public.

Principle 2: Protection

- Our local complaints, reporting and arrangements for abuse and suspected criminal offences and risk assessments work effectively.
- Our governance arrangements are open and transparent and communicated to our customers.
- The Vulnerable Adult is provided with help and support to report abuse. They are supported to take part in the safeguarding process to the extent to which they want and are able.

Principle 3: Prevention

- We can effectively identify and appropriately respond to signs of abuse and suspected criminal offences. We make all staff volunteers and tenant representatives aware, through provision of appropriate training and guidance, of how to recognise signs and take any appropriate action to prevent abuse occurring.
- In our work, we consider how to make communities safer.
- We will use rigorous recruitment practices for staff and volunteers.
- Vulnerable Adults are provided with easily understood information about what abuse is, how to recognise the signs and what they can do to seek help.

Principle 4: Proportionality

- We discuss with the individual and where appropriate with partner agencies the proportionality of possible responses to the risk of significant harm before we take a decision.

- Our arrangements support the use of professional judgement and the management of risk.
- The Vulnerable Adult should be confident that the responses to risk will take into account their preferred outcomes or best interests.

Principle 5: Partnership

- We have effective local information-sharing and multi-agency partnership arrangements in place and understand these.
- We foster a “one” team approach that places the welfare of individuals above organisational boundaries.
- The Vulnerable Adult is confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature.
- They should be confident that agencies will work together to find the most effective responses to their own situation.

Principle 6: Accountability

- The roles of all agencies are clear, together with the lines of accountability.
- Staff understand what is expected of them and others.
- Agencies recognise their responsibilities to each other, act upon them and accept collective responsibility for safeguarding arrangements.
- The Vulnerable Adult should be clear about the roles and responsibilities of those involved in the solution of the problem.
- Commission safe services and monitor contracts

Principle 7 : Children

First Wessex has a commitment to deliver services to children in a non-discriminatory manner. Children should be safeguarded and protected whatever their:

- Race, religion, first language or ethnicity
- Gender or sexuality
- Age
- Health or disability
- Location or placement
- Political or immigration status
- Criminal behaviour

ENDS