



Okehampton Town Council

Okehampton Town Council

DRAFT Councillor/Employee Protocol

Introduction

Effective working relationships between elected Town Councillors and employees of the Town Council are key if the Town Council is to work effectively. They are also critical in maintaining public confidence in the workings of the Council.

This protocol is intended to guide Members and employees of the Town Council in their relationships with one another. It is not intended to be prescriptive or comprehensive and simply seeks to offer guidance on some of the issues which can arise. It does not in any way replace the Code of Conduct by which Councillors are legally bound. However, the protocol may assist in interpreting what is required under the Code.

Roles and responsibilities

Understanding the different roles and responsibilities of Councillors and employees is key to maintaining good relations.

Town Councillors decide on the priorities for the Town Council, set the budget, represent their constituents (including those who have not voted for them) and collectively make decisions on behalf of the Town Council.

Town Councillors are responsible to the electorate and serve only so long as their term of office lasts. A Town Councillor can only serve for a maximum of 4 years before submitting themselves to the electoral process.

Town Councillors are not individually authorised to initiate/certify financial transactions, or to enter into any contract (written or verbal) on behalf of the Council.

Town Councillors may at times assist the Council by providing services in relation to their knowledge and skills. They should not expect to be paid for offers of assistance and other contractors/offers will still be investigated. Any quotations for paid work will be treated in accordance with Council policy.

Town Councillors are expected to attend meetings of the Council, Committees, Working/Task & Finish Groups to which they have been nominated and other meeting invitations as accepted, and to have read associated paperwork prior to attendance.

Employees of the Council implement the decisions made by Members. Employees give information and advice to the Council and support Councillors.

Town Council employees are employed and are responsible to the whole Council and not to any individual Councillor. Employees of the Council are managed by the Town Clerk in accordance with Council procedures. The Town Clerk is responsible to the whole Council and for the management of the day to day running of the Council and its services, including contractors appointed to undertake work for the Council.

The Town Clerk and employees' welcome visits by Town Councillors. However, Councillors should be aware that employees may not be in a position to speak with them unless a prior appointment has been made and should wait in reception until invited into the offices.

Reasonable expectations of employees

It is reasonable for a Councillor to expect the Council employees:

- To do their job effectively and efficiently
- To behave in a manner which does not bring the Council into disrepute
- To be helpful, respectful and courteous
- To provide assistance to Members in carrying out their role
- To deal with Members enquiries fairly and efficiently
- To be open and honest with Members
- To work with all Members equally and fairly
- To keep confidentiality where it is proper to do so
- To be sensible about contacting Members at potentially inconvenient times unless in an emergency or otherwise agreed
- To remember that they are employed by the whole Council and not by any individual Member.

Reasonable expectations of Councillors

Employees can reasonably expect the Councillors:

- To accept that the Council's employees are managed by the Town Clerk
- To be helpful, respectful and courteous
- Not to ask employees to breach Council policy or procedure or to act unlawfully
- Not exert, influence or pressure or to request special treatment
- Not to raise concerns about an employee in a public setting and to raise such concerns in an appropriate manner in accordance with Council policy
- To respect that employees have a right to a private life and not contact them outside of their working hours unless in an emergency or otherwise agreed. **Contact should be by email or council provided phones, unless in an emergency situation when the Clerk can be contacted by other means.**

Specific Issues

Personal relationships

Good working relationships are critical between Members and employees, but close familiarities could prove embarrassing to other Councillors and employees and give rise to potential conflicts of interest. Such close familiarities should therefore be avoided 'wherever possible'.

Giving instructions to employees

Only the Town Clerk can give instructions to employees of the Council and only the Full Council or a properly constituted committee can give instructions to the Town Clerk. Individual Councillors should not therefore attempt to direct the work of employees.

Mayor and Chairmen (Deputy Mayor and Vice-Chairmen)

The Mayor and Chairmen of the Town Council have additional responsibilities. Because of those responsibilities, their relationships with employees may differ from, and be more complex than those of Councillors without those responsibilities, and this is recognised in the expectations they are entitled to have. However, such Councillors must still respect the impartiality of officers, must not ask them to undertake work of a party-political nature, or to do anything which would put them in difficulty in the event of a change in the composition of the authority.

Complaints about employees or services

Town Councillors have a right to criticise the report, advice or action of employees. However, it has to be recognised that employees will find it difficult to answer back to such criticism and therefore any criticism must not be in the form of a personal attack and must be constructive and well founded.

Councillors must avoid undermining public respect for employees and should therefore avoid making any criticism of an employee at a public meeting, in the press or by way of any other public statement. Making such criticisms would be damaging to the public image of the Council. It would also undermine the mutual trust and courtesy which underpins effective working relationships. If a Town Councillor wishes to raise an issue about an employee, they should use any established channels in place or, direct their concerns through the Mayor or Chairman of the Policy & Resources Committee if the concern relates to the Town Clerk, or the Town Clerk if it relates to any other employee.

Information sharing

All Town Councillors have a right to expect to be kept informed about matters on which they may be required to make decisions, or which affect the Town. The Clerk should aim to ensure that all Members are kept fully informed in relation to important issues.

So far as documents and other information held by the Town Council - much of it will be in the public domain and Councillors have the same right as any member of the public to see that information. So, Councillors have the same right as the public to have access to agendas, reports and minutes of meetings which are held in public and have the right to access information given by the Freedom of Information Act. Town Councillors have additional rights to access information as well. Clearly, they are entitled to have access to reports of matters which are to be considered at Council meetings in a private session, unless they relate to staffing matters. In addition, Town Councillors have the right to access any other Town Council information where they can show they have a 'need to know'. Any request to access information should be made to the Town Clerk. If the Town Clerk is uncertain as to whether the Councillor is entitled to access that information, then they should refer the question to the Council for a decision.

The process of gathering information to respond to Members requests can be time consuming and expensive for the Town Council so Members should consider before they make an information request whether they really need the information and should be prepared to discuss with the Town Clerk whether less, more easily obtained information would be sufficient.

Correspondence

Correspondence between Members and employees should not normally be copied to any other party. In particular, when using email, the use of blind copies should be avoided, as should be 'reply to all' as persons unknown could have been blind copied in.

There are exceptions to this general rule. If the original correspondence was copied to other parties then it is legitimate to send a response to those parties. There may also be occasions where the correspondent gives rise to concern for the employee, for example in relation to possible breaches of the Code of Conduct or that the Council may be brought into disrepute by the actions of the Councillor. In such cases it is legitimate for the employee to share correspondence with the Mayor or, where appropriate, the Monitoring Officer at WDBC.

Official correspondence (letter or email) from the Council must be sent out in the name of the Town Clerk, not individual Councillors. Correspondence that creates obligations or gives instructions must not be sent out in the name of a Councillor.



Okehampton Town Council

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DRAFT Delegation Scheme

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (the Town Clerk), Standing Committees and Working Groups of the Council to act with delegated authority in the circumstances detailed. The Scheme will be reviewed annually.

The aim of this delegation scheme is to enable the Council to function as near to normal as possible in the event meetings of the Council are unable to take place and resolutions unable to be made by the Council or its Committees.

Some items of business, including the setting of the budget and precept, and approval of the Annual Governance Accountability Return cannot be delegated to an Officer or Committee and must be resolved by Full Council.

Proper Officer and Responsible Financial Officer

The Town Clerk is the Responsible Financial Officer (RFO) to the Council and is responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

The Town Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

The Town Clerk is specifically authorised (via legislation) to:

- Receive declarations of acceptance of office.
- Receive and record notices from Councillors disclosing interests.
- Receive and retain plans and documents.
- Sign Notices or other documents on behalf of the Council in accordance with legislation and council policy
- Receive copies of by-laws made by the Principal Councils (West Devon Borough Council and Devon County Council).
- Certify copies of by-laws made by the Council.
- Sign and issue summonses to attend meetings of the Council.
- Give public notice of the time, place and agenda at least three clear days before a meeting of the Council
- Convene a meeting of the Council for the election of a new Mayor of the Council, occasioned by a casual vacancy in that office.
- To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000 and Data Protection Act 2018.

In addition, the Town Clerk has the delegated authority to undertake matters on behalf of the Council as set out in the Job Description, policies and procedures including the following:

- Day to day administration of services, together with routine inspection and control of services and facilities
- Management of the Council's employees in accordance with the Council's policies, procedures and budget, including staff performance, discipline and appraisals.

- Deployment of Council resources to discharge the statutory duties of the Council and agreed strategic plans, including delegation of tasks and those who will attend and/or clerk meetings of the Council, its Committees and Working Groups.
- Providing comments to local press and media on behalf of the Council
- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees
- Authorisation of routine recurring expenditure within the agreed budget.
- Authorisation of expenditure on any general works within the agreed budget.
- Authorisation of emergency expenditure outside of an agreed budget in accordance with Financial Regulations, with any such emergency expenditure to be reported to the Council at the earliest opportunity.
- Authorisation, in consultation with the Mayor or relevant Chairman, to call meetings of the Council, its Committees and Working Groups as required in order to meet deadlines or for other urgent matters as required.

Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, this Delegation Scheme and with directions given by the Council from time to time.

In the absence of the Town Clerk, the Assistant Clerk shall be authorised to undertake any of the functions of the Clerk's post, in accordance with the Job Description. The Assistant Clerk is not a Deputy and therefore must act in consultation with the Mayor or relevant Committee Chairman.

Spending limits, including those of other members of staff, are set out in the Council's Financial Regulations.

Standing Committees

The Terms of Reference (ToR) for each of the Council's four Committees (Policy & Resources, Parks, Property and Planning) are reviewed annually in their entirety. Once reviewed by the Committees the ToRs will be approved by Full Council.

Working Groups

Working/Task & Finish Groups may be formed by resolution of the Council or a Committee at any time. The remit of such a Working/Task & Finish Group will be resolved by the Council/Committee and set out on a Terms of Reference.

Emergency Situations

In the case of an emergency situation when the Council is unable to meet and in the following circumstances additional delegations will be activated:

1. An announcement by the Government that meetings cannot take place, ie a pandemic lockdown or emergency situation. In this case the scheme will automatically be enabled.
2. By agreement of the Mayor and Chairmen (minimum of three of the five) including by email.
3. The Council being inquorate following Elections or due to resignations. In this case the scheme will automatically be enabled. The Town Clerk has delegated authority to spend and/or make any decisions necessary to ensure the ongoing running of council services and employees are paid appropriately following consultation with any existing members.
4. In the event it is not possible for a meeting of the Planning Committee to be held within deadlines for the submission of a response.

Following activation Members will be required to check their emails at least twice weekly. The Town Clerk will regularly contact any members without email provision by phone and/or post.

In the event that the Mayor, Committee Chairmen or Town Clerk are unavailable their role will be undertaken by the Deputy Mayor, relevant Vice-Chairmen or Assistant Town Clerk. The Chairmen being those of the four Standing Committees (Policy & Resources, Planning, Parks and Property).

This scheme relates to delegations over and above those already approved within Committee Terms of Reference and other permissions that may have been resolved.

Full Council

If a resolution is required by Full Council, with the exception of those which cannot be delegated, the Town Clerk will email the details to all Members. Comments will be collated, and the decision made by the Town Clerk following consultation with the Mayor.

Planning Committee

Applications for planning permission and alcohol licencing are to be emailed to all members of the Committee for their comments. The comments will be collated and following consultation with the Chairman the Town Clerk has delegated authority to make the final decision and submit a response.

The Town Clerk has delegated authority to liaise with the other authorities in relation to Highways matters, following consultation with Committee members and/or the Chairman as necessary.

Policy & Resources Committee

Grant applications are to be emailed to all members of the Committee for their comments. The comments will be collated and following consultation with the Chairman, the Town Clerk is delegated authority to make the final decision in relation to the grant awarded.

Basic salary payments will be made following approval by the Town Clerk and Mayor, staff salaries being approved annually by the Policy & Resources Committee. Any amendments or increases to be approved when meetings are able to resume, and adjustments made as necessary. This is with the exception of the annual increase agreed by the Joint Local Council which will be implemented as soon as possible following announcement **and adjustments made by the government, for example to the minimum wage and that of apprenticeships.**

A schedule of payments required to be made will be circulated weekly, or as necessary, by email to all members of the Committee for their comments. Any queries will be responded to, and approval will be made by the Town Clerk following consultation with the Chairman.

Other decisions that would have been considered by the Committee are to be circulated to all members of the Committee by email for comments. A final decision to be made by the Town Clerk following consultation with the Chairman, this includes authority to purchase/authorise contracts up to the amount as delegated to the Committee and set out in Financial Regulations.

Parks and Property Committees

Decisions that would have been considered by the Committee are to be circulated to all members of the Committee by email for comments. A final decision to be made by the Town Clerk following consultation with the Chairman, including authority to purchase/authorise contracts up to the amount as delegated to the Committee and set out in Financial Regulations.

Working from Home

In the event that staff are required by Government legislation, or they are unable to work from the office due to exceptional circumstances, the Town Clerk has delegated authority to permit them to take home equipment required to enable them to continue to undertake the main elements of their role; for example IT, phone equipment, and documentation.

Limitations

Committees shall act in accordance with the Council's Standing Orders, Financial Regulations, this Delegation Scheme and, where applicable, any other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.



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DRAFT Dignity at Work Policy

Okehampton Town Council believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.

Purpose

Okehampton Town Council is committed to creating a working environment where all council employees, councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying

In support of this objective, Okehampton Town Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#).

We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed. However, the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document:

- explains how we will respond to complaints of bullying or harassment;
- ensures that we respond sensitively and promptly; and,
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

Scope

This policy covers bullying and harassment of and by clerks/officers and all employees engaged to work at Okehampton Town Council. Should agency staff, or contractors have a complaint connected to their engagement with Okehampton Town Council this should be raised to their nominated contact, manager, or the Clerk in the first instance. Should the complaint be about the clerk the complaint should be raised to the Mayor or Chairman of the Policy & Resources Committee.

Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council's grievance policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

The position on bullying and harassment

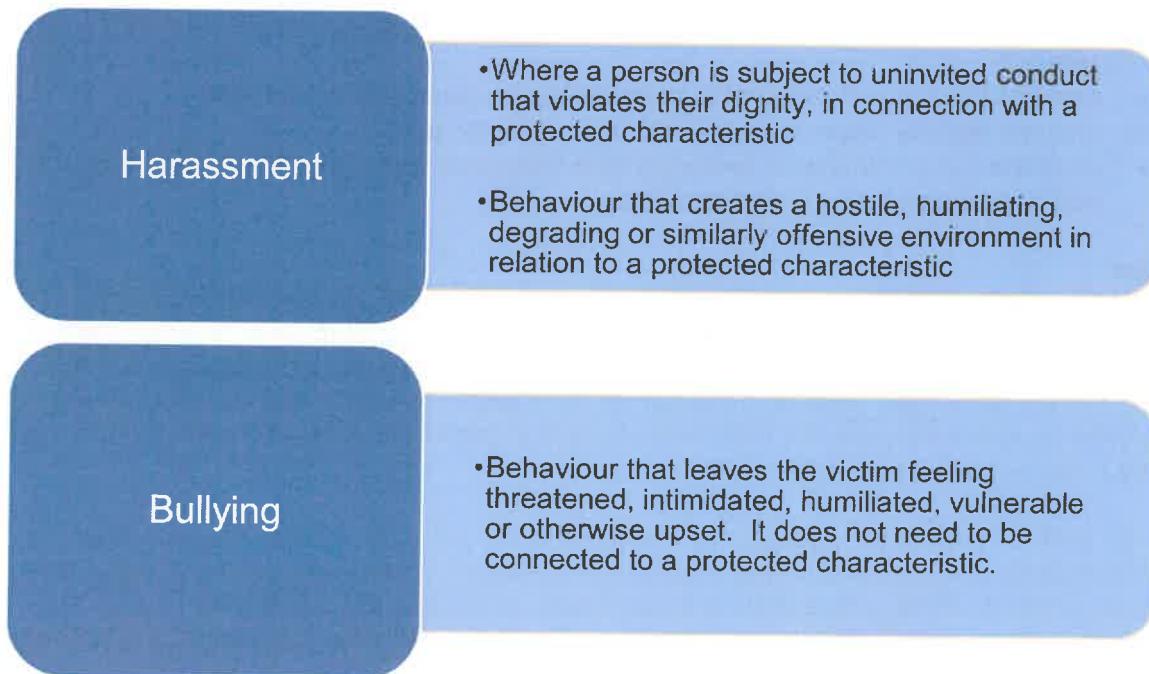
All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Okehampton Town Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.



What Type of Treatment amounts to Bullying or Harassment?

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity

or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- The use of obscene gestures
- Abusing a position of power

Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable, and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear; however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example). See the council's Equal Opportunities Policy.

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/ Councillors is not bullying. It is part of normal employment and management routines and should not be interpreted as anything different.

Victimisation

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

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

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

Reporting Concerns

What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your line manager in the first instance or, with the clerk. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being bullied or harassed by a councillor: If you are being bullied or harassed by a councillor, please raise this with the clerk in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

What you should do if you witness an incident you believe to harassment or bullying: If you witness such behaviour you should report the incident in confidence to the clerk, or the Mayor/Chairman of the Policy & Resources Committee if it relates to the clerk. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you are being bullied or harassed by another member of staff: If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

Informal resolution

If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk, your line manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own line manager, you should raise the issue with the clerk. (If your concern relates to the clerk, you should raise it with the Mayor or Chairman of the Policy & Resources Committee). This person will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The clerk (or another appropriate person) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk (or the Mayor, if it relates to the clerk). A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk or Mayor will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to

make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).

After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

The use of the Disciplinary Procedure

If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

This is a non-contractual policy and procedure which will be reviewed from time to time.



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DRAFT Family Friendly Policy Pack

NOTE - The following are statutory policies, the others are good practice and can be removed if required by the Committee:

- Maternity
- Paternity
- Parental Leave
- Shared Parental Leave
- Adoption Leave
- Carer's Leave
- Parental Bereavement Leave

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MATERNITY POLICY

A) INTRODUCTION

All pregnant employees are entitled to a total of 52 weeks' maternity leave, irrespective of their length of service. We have set out below all of your rights and obligations should you become pregnant. We would ask that you notify us as soon as possible of your pregnancy so that we can ensure you are fully aware of all your entitlements and obligations and also so that we can take any necessary steps to ensure the health and safety of both yourself and your unborn child whilst you are at work.

B) ANTE-NATAL CARE

You are entitled to paid time off during normal working hours to receive ante-natal care. Ante-natal care can include not only medical examinations, but also relaxation and parent-craft classes.

Other than for the first appointment, you must produce both a certificate confirming that you are pregnant and an appointment card (or similar document) from a registered medical practitioner, or a registered midwife, in the case of medical examinations or relaxation classes, or from a registered health visitor in the case of parent-craft classes, showing that an appointment has been made.

C) MATERNITY LEAVE

You are entitled to the following maternity leave; 52 weeks' in total, broken down as follows:

- 26 weeks' Ordinary Maternity Leave. You are not permitted to work for 2 weeks' immediately after your baby is born, this is called Compulsory Maternity Leave.
- Additional Maternity Leave that starts immediately after Ordinary Maternity Leave and continues for a further 26 weeks'.

Maternity leave can commence at any time after the 11th week before the expected week of childbirth, and may commence as late as the day after the birth of your baby. In order to take advantage of the right to maternity leave you must give us the proper notifications. These are outlined below under the heading 'Notice Requirements'.

D) NOTIFICATION REQUIREMENTS

We would urge you to notify us as soon as possible of your pregnancy to enable us to ensure that, where appropriate, any reasonable steps are taken to ensure the safety of yourself and your unborn child and that you are not subject to any unnecessary risks.

To qualify for maternity leave you must, no later than the end of the 15th week before the expected date of childbirth or, if that is not reasonably practicable, as soon as is reasonably practicable notify us, in writing of the following:

- a) your pregnancy;
- b) expected week of childbirth (EWC); and
- c) the date on which you intend your ordinary maternity leave period to start.

In addition, you must supply us with a copy of your MATB1 form from a registered medical practitioner or registered midwife stating the EWC.

If you wish to vary the date on which you intend your OML to start, you must notify us of the new date at least 28 days' before the new date or, if that is not reasonably practicable, as soon as is reasonably practicable.

E) COMMENCEMENT OF LEAVE

The earliest date that you can start maternity leave is the beginning of the 11th week before the EWC.

The latest date that you may work up to is the birth of your child unless your leave is triggered by pregnancy related absence (see below).

Compulsory maternity leave commences on the day after the childbirth occurs. Its purpose is to ensure that you have at least 2 weeks' leave after the birth of your baby.

There are two incidences in which the maternity leave period is triggered automatically:

- 1) Where childbirth occurs before the maternity leave period would otherwise commence.

In the event of premature birth you are not required to notify us of the date on which you intend to take your leave, but must inform us as soon as is reasonably practicable after the birth, of the date on which you gave birth.

Your maternity leave period will begin automatically on the day following the date of the birth.

If you are absent from work, wholly or partly due to your pregnancy, after the beginning of the fourth week before the EWC.

If you are absent from work after the beginning of the fourth week before the EWC, wholly or partly due to your pregnancy, then again you must notify us as soon as reasonably practicable that you are absent for that reason and the date on which your absence began. Your maternity leave period will begin automatically on the day following the first day of such absence.

Once you notify us of the date on which you intend to commence your maternity (or have commenced) we will write to you within 28 days', notifying you of the date on which you are due to return to work after the end of your additional maternity leave.

F) CHANGING YOUR RETURN TO WORK DATE

If you decide to return to work before the end of the date notified for additional maternity leave you must give us at least 8 weeks' notice of the new date on which you intend to return. For example, if you only wish to take the 26 weeks' ordinary maternity leave or the 39 weeks' paid maternity leave, you must give us 8 weeks' notice of your intended return date. If you attempt to return to work without giving the required notice we will postpone your return to a date that will ensure that there has been 8 weeks' notice of that return, or the original date of return, whichever is the lesser period of time.

G) RETURNING TO WORK

If you are returning to work at the end of additional maternity leave, you simply present yourself for work at the end of that period.

If you return to work at the end of your ordinary maternity leave you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence.

If you return to work after a period of additional maternity leave, you are entitled to return to the same job in which you were employed before your absence or, if that is not reasonably practicable, to another job which is both suitable and appropriate for you in the circumstances on terms no less favourable.

H) KEEPING IN TOUCH DAYS

You may by mutual agreement, work for up to 10 days' during your maternity leave period (but not during the compulsory maternity leave period) without losing statutory payments for that week, or ending your entitlement to leave.

For this purpose any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the maternity leave period. Payment in respect of these 'keeping in touch' days will be agreed beforehand.

I) MATERNITY PAY

Dependent upon your length of service, you may be entitled to Statutory Maternity Pay. If you do not qualify for such a payment, you may, dependent upon your circumstances, be eligible to receive allowances from the appropriate government departments.

Eligibility

You will qualify for Statutory Maternity Pay (SMP) if you meet the following criteria:

- a) you have been continuously employed with us for at least 26 weeks' continuing into the 15th week before the week the baby is due.
- b) your average weekly earnings are not less than the lower earnings limit relevant for National Insurance purposes.
- c) you are still pregnant at the 11th week before the EWC or have given birth by that time.
- d) you have complied with the relevant notification requirements, as detailed above.

Length of Pay Period

The period for which SMP may be paid is called the maternity pay period. The maternity pay period may start at any time from the start of the 11th week before the EWC and can continue for up to 39 weeks', even if you do not intend to return to work.

The starting date of the maternity pay period will usually be agreed between the employer and the employee however the final decision is yours. The maternity pay period and SMP can start on any day of the week. However:

- a) if you work up to the birth, the maternity pay period and SMP will start from the day following the date of the birth;
- b) if you are absent from work because of a pregnancy related reason on, or after, the start of the fourth week before the EWC, the maternity pay period will start on the day following the first day you are off work for that reason; and

- c) if you are absent on sick leave with an illness which is not pregnancy related, the maternity pay period will start as notified or from the date following the date of birth whichever is the earlier.

Amount of Payment

Payment will be made at the rate of 90% of your normal salary (or standard rate SMP whichever is the greater) for the first 6 weeks' of leave and then up to 33 weeks' at the Standard Rate SMP.

The baby is born early or late

If your baby is born before the maternity pay period is due to start, the pay period will begin from the day following the date of birth.

If your baby is born before you have given us a maternity certificate, you must, if reasonably practicable, provide us with medical evidence of the date the baby was born within 28 days'.

If your baby was born early and the maternity pay period has started, SMP will be paid in the normal way until the liability ends as if the baby had been born in the EWC.

If the baby is born after the EWC, the maternity pay period is not affected.

The baby is stillborn

In the unfortunate event that a baby is stillborn before the 25th week of the pregnancy, i.e. earlier than the 16th week before the EWC, SMP is not payable.

If a baby is stillborn after the start of the 16th week before the EWC, SMP will be paid as it would for a live birth.

PATERNITY POLICY

A) INTRODUCTION

- 1) If your partner becomes pregnant or you are jointly adopting a child with another person and have designated yourself as the secondary adopter, you may be entitled to take time off work for various reasons, and this policy explains what your rights are.
- 2) This policy applies where the expected date of childbirth is after 6 April 2024, or the expected date of adoption placement is on or after 6 April 2024. Where the expected date of childbirth or the expected date of adoption placement is earlier than these dates, our previous paternity leave policy will apply to you.

B) ANTE-NATAL/ADOPTION APPOINTMENTS

- 1) You have the right to take time off to accompany your partner to ante-natal appointments or adoption appointments. This applies from the start of your employment.
- 2) In relation to a birth, you must be the father of the child; or the husband, civil partner or partner of the mother. An ante-natal appointment is one which has been made on the advice of a registered medical practitioner, nurse or midwife.

- 3) In relation to an adoption, you must be adopting the child jointly with another person. If you are a sole adopter, you may have separate rights to time off for appointments.
- 4) Under this right, you are entitled to take time off to attend a maximum of 2 ante-natal/adoption appointments, to a maximum of 6.5 hours per appointment. This time is unpaid.
- 5) You will need to provide a declaration relating to your eligibility and, amongst other things, state the date and time of the appointment. We have a form you can use for this which is available from the Town Clerk.
- 6) The right applies whether the baby was conceived naturally or via donor insemination.

C) ELIGIBILITY FOR PATERNITY LEAVE

- 1) You must have been continuously employed by us for a period of at least 26 weeks by the end of the 15th week before the expected week of the child's birth or, in the case of an adopted child, for at least 26 weeks leading into the week in which the adopter is notified of being matched with a child.
- 2) You must be the father of the child, or be married to, or the civil partner or "partner" of, the child's mother or adopter. "Partner" in relation to a child's mother or adopter means a person, whether of a different sex or the same sex, who lives with the mother, or adopter, and the child in an enduring family relationship but is not a relative of the mother or adopter (a relative is defined as a parent, grandparent, sister, brother, aunt or uncle).
- 3) You must have, or expect to have, responsibility for the upbringing of the child.
- 4) Only one period of leave is available even if more than one child is born as a result of the same pregnancy or adopted as part of the same arrangement.

D) COMMENCEMENT AND DURATION OF LEAVE

- 1) Leave may only be taken during the period beginning with the date of the child's birth or placement and ending 52 weeks after that date or, in a case where the child is born before the first day of the expected week of birth, 52 weeks after that day.
- 2) Subject to the above, you can choose to begin your leave:
 - a) on the date on which the child is born/placed with the adopter;
 - b) from a specified chosen number of days after the date of the child's birth/placement (whether this is earlier or later than expected); or
 - c) from a specified predetermined date which is later than the first day of the expected week of the child's birth/expected date of placement.
- 3) Leave can start on any day of the week and you can choose to take:
 - a) one week of leave
 - b) two consecutive weeks of leave or
 - c) two non-consecutive single weeks of leave.
- 4) During paternity leave you are entitled to the benefit of your normal terms and conditions of employment, except wages or salary, and you are bound by any obligations arising under those terms and conditions except in so far as they are inconsistent with the right to paternity leave.

- 5) Where possible, you should book and take your annual leave entitlement in the current holiday year. However, if you are unable to take all of your statutory minimum entitlement to annual leave because you were on paternity leave, you are entitled to carry over untaken annual leave into the following leave year.

E) NOTIFICATION REQUIREMENTS

1) Birth - Notice of entitlement

First, you must give us notice of your entitlement to take paternity leave in or before the 15th week before the expected week of the child's birth.

- 2) The notice must specify the expected week of birth and must include a signed declaration that:
 - a) you are either the father of the child or married to or the partner of the child's mother, but not the child's father;
 - b) if you are the father, that you have or expect to have responsibility for the upbringing of the child; and
 - c) if you are the mother's husband or partner but not the child's father, the main responsibility (apart from any responsibility of the mother) for the upbringing of the child.

3) Birth - Notice of leave

Then, once you have chosen the dates of each occasion of your paternity leave, you are required to give us a further notice, in writing, of:

- a) when you want your leave to start and
- b) the length of leave you want to take.
- 4) You must also give us a signed declaration that you are taking leave for the purpose of caring for a child or supporting the child's mother.
- 5) A form that you can use for this notification is available from the Town Clerk.
- 6) If you want to take leave starting on the date of birth, you need to give us the notice of leave at least 28 days before the first day of the expected week of the child's birth.
- 7) If you want to start your leave a number of days after the birth rather than giving an actual date, you need to give us the notice of leave at least 28 days before the day that falls that number of days after the first day of the expected week of birth. For example, if you want to start paternity leave 4 days after the birth of the child, you need to give us the notice of leave 28 days before the 4th day after the first day of the expected week of childbirth.
- 8) If you want your leave to start on a predetermined date after the first day of the expected week of the child's birth, you need to give us the notice of leave at least 28 days before that predetermined date.
- 9) Where it is not reasonably practicable for you to give notice as set out below, it should be given as soon as is reasonably practicable.

10) Adoption - Notice of entitlement

First, you must give us notice of your entitlement to take paternity leave no more than seven days after the date on which you were notified of having been matched with a child.

11) The notice must specify:

- a) the date on which you were notified of having been matched with the child,
- b) the date on which the child is expected to be placed with you or, where the child has already been placed for adoption, the date of placement.

12) You must also give us a signed declaration that:

- a) you are either married to or the partner of the child's adopter; and
- b) you have, or expect to have, the main responsibility (apart from the responsibility of the adopter) for the upbringing of the child.

13) **Adoption - Notice of leave**

Once you have chosen the dates of each occasion of your paternity leave, you are required to give us a further notice, in writing, no more than seven days after the date on which you were notified of having been matched with a child of:

- a) when you want your leave to start and
- b) the length of leave you want to take.

14) You must also give us a signed declaration that you are taking leave for the purpose of caring for a child or supporting the child's adopter.

15) Forms that you can use for the various notification requirements are available from the Town Clerk

16) **Changing your mind about dates of leave – birth and adoption**

You may change your mind about the date on which you want your leave to start or end, or cancel the period of leave chosen, providing you notify us in writing. The notice must be given by whichever is the earlier of at least 28 days before the original date of leave or the new date of leave, unless this is not reasonably practicable. If you give us notice to vary a period of paternity leave, you must also give us a signed declaration as to the purpose of the absence.

17) **Required changes to dates of leave – birth and adoption**

If you have chosen to start a period of paternity leave on a particular predetermined date, and the child has not been born/is not placed with the adopter on or before that date, you must change the date you want paternity leave to start and give us notice of the new date. This notice must contain a signed declaration as to the purpose of the absence.

18) **Telling us the date of birth/placement**

You must give us a further notice, in writing, as soon as is reasonably practicable after the child's birth or placement for adoption, of the date on which the child was born or placed, if the date of placement was not provided in the notice of intention to take paternity leave.

F) PATERNITY PAY

1) You may be entitled to Statutory Paternity Pay (SPP) if you meet the eligibility criteria.

2) **Eligibility**

You will qualify for SPP if you meet the following criteria:

- a) you have been continuously employed with us for at least 26 weeks' continuing into the 15th week before the week the baby is due/the week in which you were notified of having been matched with a child and remain employed by us at the date of birth/placement.
- b) your average weekly earnings are not less than the lower earnings limit relevant for National Insurance purposes.
- c) you have the prescribed relationship with the child and the mother/adopter.
- d) you intend at the start of the paternity pay period to care for the child or support the mother.

3) **Length of Pay Period**
The paternity pay period is a maximum of 2 weeks to be payable for the duration of your paternity leave.

4) **Amount of Payment**
Payment will be made at the standard rate for the duration of paternity leave. Your line manager will confirm the rate of pay to you.

G) RETURNING TO WORK

If you return to work following an isolated period of paternity leave; or a period of parental leave of no more than four weeks, you are entitled to return to the job in which you were employed before the absence. In addition, seniority, pension and similar rights should be as they would have been had the absence not occurred, and other terms and conditions should not be less favourable than those which would have applied had the absence not occurred.

H) SHARED PARENTAL LEAVE

You may be entitled to take shared parental leave if both you and your partner meet the eligibility criteria. Shared parental leave enables you and your partner to divide almost a year's leave between you after the child is born/adopted and gives you more flexibility over who will take leave and when. If you choose to take shared parental leave, you are still entitled to take paternity leave.

If you would like more information on shared parental leave, please speak with the Town Clerk

PARENTAL LEAVE POLICY

A) INTRODUCTION

The purpose of parental leave is to care for a child. This means looking after the welfare of the child and that can include making arrangements for the good of the child. Caring for a child does not necessarily mean being with the child 24 hours a day. The leave might be taken simply to enable parents to spend more time with young children. The following are examples of the way leave might be used:

- a) spend more time with the child in early years;

- b) accompany the child during a stay in hospital;
- c) investigate new schools;
- d) settle the child into new child care arrangements; or
- e) enable the family to spend more time together, for example, when taking the child to stay with grandparents.

Parental leave is unpaid. The right to statutory parental leave is an individual right so both parents are entitled to statutory parental leave for each child, i.e. a parent with two children under the age of eighteen would be entitled to a total of 36 weeks parental leave (2 x 18 weeks).

B) ELIGIBILITY AND ENTITLEMENT

To qualify for parental leave you must have completed one year's continuous employment with us.

You are entitled to take up to 18 weeks' unpaid parental leave up to the child's 18th birthday (subject to a maximum of four weeks in any one year).

C) NOTIFICATION REQUIREMENT

You must make your request for parental leave a minimum of 21 days before you would like the leave to start. You must give notice of the exact day on which you wish your parental leave to start.

Fathers who wish to take parental leave straight after the baby is born or prospective adoptive parents who want to take parental leave straight after the child is placed with them for adoption must give 21 days' notice of the expected week of childbirth or the expected week of adoption.

Leave cannot be taken in blocks of less than a week (unless the child is disabled) and you cannot take more than four weeks leave in respect of any individual child during a particular year.

If the child is disabled you will have the flexibility to take leave a day at a time if you wish.

D) DEALING WITH YOUR REQUEST

We may postpone your request for parental leave when the leave would, in our view, unduly disrupt the operations of the business, or organisation, or if you do not give the appropriate notice. If we do feel it necessary to postpone the date upon which the leave is taken we will supply in writing and within seven days of receipt of your request, our reasons as to why the leave has been postponed.

We will not delay the leave for more than six months.

We will not postpone parental leave in respect of a father wanting leave immediately after the birth of a child, or for individuals who require leave immediately after the date that an adoptive placement takes place, as long as the appropriate notice requirements are given.

We may ask for evidence to support your request for the parental leave.

Parental leave is an individual right and is not transferable, this means that both parents will be able to take up to 18 weeks' leave if both are working, but they will not be able to add together their leave entitlements so that one parent can take more than 18 weeks and the other less.

E) RIGHT TO RETURN

If you return to work after an isolated period of parental leave lasting four weeks or less, or after a period of parental leave lasting four weeks or less which consecutively followed another period of statutory leave (e.g. holidays, paternity leave etc.) and which did not include any period of additional maternity leave, or additional adoption leave, you are entitled to return to the job in which you were employed before your absence.

If you return to work after a period of parental leave lasting more than four weeks, or after a period of parental leave lasting four weeks or less, which did consecutively follow a period of additional maternity leave or additional adoption leave, you are entitled to return from leave to the job in which you were employed before the absence or, if that is not reasonably practicable, to another job which is both suitable and appropriate for you in the circumstances.

SHARED PARENTAL LEAVE

A) INTRODUCTION

Shared Parental Leave will allow you to take leave in a much more flexible manner to care for your child(ren) and allows you to take a period of leave much earlier than under the maternity and paternity provisions.

B) ELIGIBILITY FOR SHARED PARENTAL LEAVE

If you meet the following criteria you are eligible for Shared Parental Leave:

- a) 26 weeks service at the 15th week prior to expected week of childbirth (the qualifying week), or notification of a match in terms of adoption, and still be employed by us in the week before any shared parental leave is due to start;
- b) have a partner who has worked (employed/self-employed) for 26 of the 66 weeks prior to the EWC/placement week and who has earned on average at least £30 per week in any 13 weeks;
- c) Share the primary responsibility for the child with the other parent at the time of the birth/adoption;
- d) Have properly notified us of their entitlement and have provided the necessary declarations and evidence.

C) HOW MUCH SHARED PARENTAL LEAVE CAN BE TAKEN

You can decide how you wish to split Shared Parental Leave provided that your partner takes her compulsory maternity leave entitlement because this is a legal requirement. The

remaining 50 weeks of leave can be split as decided by employees (subject to our approval in certain circumstances). Leave must be taken in minimum blocks of one week. Leave must end 52 weeks after the date leave started.

Partners (i.e. baby's father/mother's husband/mother's civil partner/mother's partner) are still entitled to take 2 weeks Ordinary Paternity Leave subject to qualifying conditions.

D) BOOKING LEAVE

You must submit various notices in order to take Shared Parental Leave:

- a) the mother or primary adopter must provide a Curtailment Notice to end Statutory Maternity or Adoption Leave. This must be given after the 11th week prior to the EWC but at least 8 weeks prior to the start date of the first period of Shared Parental Leave;
- b) You must provide a Notice of Entitlement setting out both their eligibility, and their partners eligibility to take Shared Parental Leave;
- c) You must submit an approximate indication of how periods of Shared Parental Leave will be taken;
- d) You must provide the following details if requested within 14 days of such request;
 - (i) In relation to a birth, the birth certificate and their partner's employer's details;
 - (ii) In relation to an adoption, the name and address of the adoption agency; the date that the employee was notified of having been matched for adoption with the child; and the date on which the adoption agency expects to place the child with the employee.
- e) You must submit a Period of Leave Notice in order to book a period of shared parental leave, giving at least 8 weeks written notice of the period of leave. The Period of Leave Notice must contain the start and end date of the leave requested. A Period of Leave Notice may notify details of one period of leave, or more than one period of leave.

The Curtailment Notice may only be revoked in limited circumstances. A Period of Leave may be amended providing that the amendment notice is given at least 8 weeks before leave starts/was due to start.

Period of Leave Notices, and amendments to Period of Leave Notices, may only be submitted on a maximum of 3 occasions.

E) ACCOMMODATING THE NOTIFICATIONS/REQUESTS

If you request one continuous block of leave in a Period of Leave Notice, you are entitled to take this period of leave.

However, if you request more than one period of leave i.e. discontinuous blocks of leave in one Period of Leave Notice, we reserve the right to refuse this request. Discontinuous leave is, for example, where a period of 6 weeks Shared Parental Leave is requested, then you return to work for a period of 4 weeks and then take a further 6 weeks of Shared Parental Leave.

When discontinuous leave is requested, we will arrange to discuss the request with you. The outcome of the request will be one of the following:

- a) Agreement to the request;
- b) Proposal of alternative leave dates; or
- c) Refusal of the request.

Should we refuse a request, the default provisions will apply which means you are able to withdraw the request. If the request is not withdrawn, the leave requested will be taken one continuous block, rather than in discontinuous blocks.

F) WORKING DURING SHARED PARENTAL LEAVE

During Shared Parental Leave, you may work for up to 20 days without statutory payments being affected. These days are called SPLIT days i.e. Shared Parental Leave In Touch days. We recognise the benefit of SPLIT days and encourage you to use them, however, they are optional and you are not obliged to use them and we are not obliged to permit them.

You will be paid at normal rate for work on a SPLIT day. Any work done on one day will count as one SPLIT day.

G) SHARED PARENTAL PAY

Shared Parental Pay (SHPP) can be paid to both parents to a maximum of 39 weeks in total. This includes any Statutory Maternity or Adoption pay, and will be decided between the parents.

Only 37 weeks of paid leave will be shared to allow for the mother to take 2 weeks Compulsory Maternity Leave.

To be eligible to receive SPP, you must:

- a) have been continuously employed for at least 26 weeks up to and including the "qualifying week" (the 15th week prior to the expected week of childbirth or placement for adoption).
- b) have average earnings not less than the lower earnings limit for the payment of national insurance contributions in the 8 weeks prior to the qualifying week.
- c) comply with the notification requirements.

H) HOLIDAYS AND BENEFITS

We encourage you to take any outstanding annual leave due in the current holiday year before the commencement of Shared Parental Leave, or during periods of work in between periods of Shared Parental Leave.

You will continue to receive all contractual benefits (with the exception of salary) during Shared Parental Leave.

I) CONTACT WHILST AWAY FROM WORK

For the benefit of both parties, we encourage communication during periods of leave. You should agree with the Town Clerk (before leave is due to start) the level of contact and how you would prefer to be contacted (phone call, letter, home visit, workplace visit etc.). The

Company reserves the right in any event to maintain reasonable contact from time to time with you.

Near the end of your leave period, a manager may contact you. This may be to discuss plans for return to work, to discuss training that may be available, or simply to update you on developments at work during the absence.

If there are any business changes that impact your role whilst on leave, you will be considered in the same way as any other employee and this will be communicated with you.

J) RIGHTS ON OR AFTER RETURNING FROM SHARED PARENTAL LEAVE

After Shared Parental Leave, provided the total amount of leave taken by you (including maternity leave) does not exceed 26 weeks, you are entitled to return to the same job on the same terms and conditions of employment as if they had not been absent.

When you are considering your return to work, for reasons of childcare, you may request a change to your previous working arrangements. Any such request will be considered in line with the operational requirements of the Company and there is no automatic right to return to work on altered conditions.

K) SURROGACY AND SHARED PARENTAL LEAVE/PAY

If you are an intended parent in a surrogacy arrangement who intends to apply for, or has already applied for, a Parental Order and is eligible for adoption leave and pay, you may be entitled to Shared Parental Leave and Pay.

You must take at least two weeks of adoption leave before it can be curtailed. The remaining 50 weeks of leave can be split as decided by employees (subject to our approval in certain circumstances).

The above eligibility criteria applies to you.

ADOPTION LEAVE POLICY

A) INTRODUCTION

If you are matched for adoption with a child, you may be entitled to either adoption leave or paternity leave. One parent cannot take both periods of leave, and it is up to you to decide which you wish to take (subject to eligibility).

Where you are to take adoption leave, you are entitled to a total of 52 weeks' leave. We have set out below all of your rights and obligations should you be matched for adoption. We would ask that you notify us as soon as possible of your situation so that we can ensure you are fully aware of all your entitlements and obligations.

B) TIME OFF TO ATTEND ADOPTION APPOINTMENTS

You are entitled to time off to attend adoption appointments in the period between notification of a match and the date of placement. For single adopters or the primary adopter in a joint adoption, you are entitled to paid time off to attend up to 5 appointments, with a

maximum of 6.5 hours per appointment. The secondary adopter in a joint adoption will be entitled to unpaid time off to attend up to two appointments.

Where the time is paid, you will be paid at your normal hourly rate for this time.

C) ELIGIBILITY

You are entitled to adoption leave from the commencement of employment. Adoption leave is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's child/children. You must have notified the adoption agency of agreement to the placement and of agreement to the date of the placement.

Only one period of leave is available irrespective of whether more than one child is placed for adoption as part of the same arrangement. However, if an additional child is adopted at a later date as a separate agreement then you could qualify again for a separate period of adoption leave.

D) ORDINARY AND ADDITIONAL ADOPTION LEAVE

Adoption leave is divided into two categories, 'ordinary' and 'additional'. Each is for 26 weeks, with additional leave following on from ordinary adoption leave, giving 52 weeks leave in total. If you are eligible for ordinary adoption leave you will also qualify automatically for additional adoption leave.

During ordinary adoption leave you are entitled to the benefit of your normal terms and conditions of employment, except wages and salary (unless your contract of employment states otherwise). However, in the majority of cases, you will be entitled to Statutory Adoption Pay during this period.

During additional adoption leave the employment contract continues and you are entitled to the benefit of their normal terms and conditions of employment, except wages or salary (unless your contract of employment provides otherwise). However, in the majority of cases, you will be entitled to Statutory Adoption Pay during some of this period.

E) COMMENCEMENT OF ADOPTION LEAVE

You can choose to start your adoption leave on the date of the child's placement (whether this is earlier or later than was expected), or on a predetermined fixed date no earlier than 14 days before the expected date of placement and no later than the date of placement. Adoption leave can start on any day of the week.

F) NOTIFICATION REQUIREMENTS

You are required to give us notice, in writing, of your intention to take adoption leave within seven days of being notified by the adoption agency that you have been matched with a child, unless this is not reasonably practicable. The notice must specify:

- the date the child is expected to be placed with you; and
- the date you want the adoption leave to start.

You should provide documentary evidence - a "matching certificate" - from the adoption agency. The certificate will include basic information on matching and expected placement dates.

You are able to change your mind about the date on which you want your adoption leave to start providing you inform us at least 28 days in advance, unless this is not reasonably practicable.

We will write to you to notify you of the date on which you are expected to return to work if the full entitlement to adoption leave is taken, within 28 days of the date on which you notified us of your intention to take leave, or, if you have varied the date originally chosen to start adoption leave, within 28 days of the date on which adoption leave began.

G) RETURNING TO WORK

If you are returning to work at the end of additional adoption leave, you simply present yourself for work at the end of that period.

If you intend to return to work before the end of your additional adoption leave, you must give us at least 8 weeks' notice of the date on which you intend to return. If you do not give us 8 weeks' notice, we may postpone your return to a date ensuring that there has been 8 weeks' notice.

H) KEEPING IN TOUCH DAYS

You can work for up to 10 days during your adoption leave period without losing statutory payments for that week, or ending your entitlement to leave.

For this purpose any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the adoption leave period.

Payment in respect of these 'keeping in touch' days will be agreed beforehand.

I) DISRUPTED PLACEMENT IN THE COURSE OF ADOPTION LEAVE

If you have begun a period of adoption leave in respect of a child before the placement of the child has taken place, and you are subsequently notified that the placement will not be made, your adoption leave period will end eight weeks after the week of that notification.

If, during adoption leave, the child dies or is returned to the adoption agency, the adoption leave period will end eight weeks after the week in which the child dies; or is returned; or at the end of the 26 week additional adoption leave period, if that is earlier.

J) PAY

Dependent upon your length of service, you may be entitled to statutory adoption pay (SAP). If you qualify for SAP this will be paid for the first 6 weeks at 90% of your normal weekly earnings in the 8 week period up to the date of notification of a match, with the remainder paid at the earnings related limit or the statutory rate, whichever is lower. SAP will be paid in the same way as your wages would be paid if you were not on leave. If you do not qualify for such a payment, you may, dependent upon your circumstances, be eligible to receive allowances from the appropriate government departments.

K) SHARED PARENTAL LEAVE AND PAY

You may be entitled to opt in to shared parental leave, sharing up to 50 weeks of leave and up to 37 weeks of pay (subject to availability). If you think you would like to take shared parental leave instead of adoption leave, please ask us for more information.

L) SURROGACY AND ADOPTION RIGHTS

If you are an intended parent in a surrogacy arrangement who intends to apply for, or has already applied for, a Parental Order you may be entitled to either adoption leave and pay or paternity leave and pay. One parent cannot claim entitlement to both periods of leave and pay, and it is up to you to decide which you wish to claim (subject to eligibility).

You will be entitled to take unpaid time off to accompany the surrogate mother to up to two antenatal appointments of up to 6.5 hours per appointment.

You are entitled to adoption leave from the start date of your employment. This will be for a total of 52 weeks, split in to two periods of “ordinary” and “additional” adoption leave of 26 weeks each.

You are required to give us notice, in writing, of your entitlement to take adoption leave by the 15th week before the expected week of birth. You must also notify us of the actual date of birth as soon as is reasonably practicable after birth.

You should provide documentary evidence - a statutory declaration. This document will state that you have obtained, applied for or intend to apply for a Parental Order in respect of the surrogate child and, where not received, this is expected to be made.

If you have begun a period of adoption leave in respect of a child before approval of a Parental Order, and you are subsequently notified that the application is refused, your adoption leave period will end eight weeks after the week of that notification or the end of the adoption leave period, if that is earlier.

Dependent upon your length of service, you may be entitled to Statutory Adoption Pay (SAP). If you qualify for SAP this will be paid for the first 6 weeks at 90% of your normal weekly earnings in the 8 week period leading up to the end of the 15th week before the baby is due to be born, with the remainder paid at the earnings related limit or the statutory rate, whichever is lower. SAP will be paid in the same way as your wages would be paid if you were not on leave. If you do not qualify for such a payment, you may, dependent upon your circumstances, be eligible to receive allowances from the appropriate government departments.

M) DUAL APPROVED PROSPECTIVE ADOPTERS AND ADOPTION RIGHTS

If you are a dual approved prospective adopter, a local authority foster parent who has a child placed with you with an expectation to adopt that child in accordance with section 22C of the Children Act 1989, you may be entitled to either adoption leave and pay or paternity leave and pay. One parent cannot claim entitlement to both periods of leave and pay, and it is up to you to decide which you wish to claim (subject to eligibility).

You are entitled to adoption leave from the start date of your employment. This will be for a total of 52 weeks, split in to two periods of “ordinary” and “additional” adoption leave of 26 weeks each.

Only one period of leave is available irrespective of whether you go on to adopt the same child or children placed with you under section 22C. However, if an additional child is placed with you under section 22C at a later date as a separate agreement then you could qualify again for a separate period of adoption leave.

You can choose to start your adoption leave on the date of the child's placement (whether this is earlier or later than was expected), or on a predetermined fixed date up to two weeks before the placement of the child and no later than the date of placement. Adoption leave can start on any day of the week.

You are required to give us notice, in writing, of your intention to take adoption leave within seven days of being notified of the child's placement by the local authority in accordance with section 22C, unless this is not reasonably practicable. The notice must specify:

- the date the child is expected to be placed with you; and
- the date you want the adoption leave to start.

If you have begun a period of adoption leave in respect of a child placed with you under section 22C, and this placement does not proceed to a formal adoption, your adoption leave period will end eight weeks after the child is removed or the end of the adoption leave period, if that is earlier.

Dependent upon your length of service, you may be entitled to Statutory Adoption Pay (SAP). If you qualify for SAP this will be paid for the first 6 weeks at 90% of your normal weekly earnings in the 8 week period leading up to the date of notification, with the remainder paid at the earnings related limit or the statutory rate, whichever is lower. SAP will be paid in the same way as your wages would be paid if you were not on leave. If you do not qualify for such a payment, you may, dependent upon your circumstances, be eligible to receive allowances from the appropriate government departments.

CARER'S LEAVE POLICY

A) INTRODUCTION

Employees with caring responsibilities have a statutory right to take unpaid statutory carer's leave from day one of their employment. This policy sets out the Company's stance on employees taking time off for this purpose whilst ensuring the Company's operations are not unduly affected. The term 'dependant' for these purposes is prescribed in law and replicated in this policy. Employees will not be subject to detriment for taking carer's leave.

B) ENTITLEMENT

You are entitled to take one working week unpaid of carer's leave per rolling 12 month period to provide care or arrange care for a dependant with a long-term care need. When you make a request, we will look back over the previous 12 months from the final (or only) day of leave that you have requested to determine your exact entitlement at that time.

You can request to take your entitlement in a continuous block or separate occurrences but each occurrence must be at least one half of your working day.

For these purposes, a week is based on the number of days you normally work in a week. If your normal working time varies from week to week, a week is your average working time in a week taken over the previous 12 months.

A dependant is defined as a:

- spouse or civil partner
- child
- parent

- person who lives in the same household but is not a tenant, lodger, boarder or employee
- person who reasonably relies on you to provide or arrange care. This could be, for example, an elderly neighbour.

A dependant has a long-term care need if:

- they have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months,
- they have a disability for the purposes of the Equality Act 2010, or
- they require care for a reason connected with old age.

You are not required to provide evidence of your eligibility in relation to a request for carer's leave.

Employees who request or take time off under this policy for reasons other than those for which the statutory right to carer's leave is intended may be subject to investigation and subsequent disciplinary proceedings.

C) PAY FOR TIME OFF

Time off for carer's leave is unpaid.

D) REQUESTS FOR CARER'S LEAVE

A request for carer's leave must be made in writing (please let the Town Clerk know if you require any assistance with this) and must specify:

- that you are entitled to take carer's leave in terms of the person to be cared for,
- that you will take leave in order to provide or arrange care for that person,
- that you have not exceeded your entitlement, and
- the days on which you want to take leave and if the leave relates to part of a day, specify this fact.

The length of notice to be given is double the amount of time that you want to take off as carer's leave in that instance or three days, whichever is longer.

E) POSTPONING CARER'S LEAVE

The Company may decide to postpone your request for carer's leave for up to one month, if we reasonably consider that the operation of our business would be unduly disrupted if you took carer's leave at the time you have asked for. We will try to avoid postponement wherever possible.

The Company will consult with you before determining a new date for you to take the carer's leave requested. The new period of carer's leave will be for the same length of time as the original request.

The Company will confirm to you in writing the reason for the postponement and the new agreed date of leave, no later than whichever is earlier out of: seven days after you gave the request to the Company and the earliest day or part day of the leave originally requested.

F) OTHER POLICIES

You have a statutory right to take a reasonable amount of time off work to deal with emergencies involving your dependants. If you need time off in an emergency to care for a dependant, you should read our time off for dependants policy.

Your entitlement to time off on the loss of a child are set out in our policy on parental bereavement leave, including details of eligibility, pay during time off and other support available.

If you wish to make a request for parental leave to care for a child, you should read our parental leave policy.

PARENTAL BEREAVEMENT LEAVE POLICY

A) INTRODUCTION

The purpose of this policy is to set out the Company's stance on employee entitlements to parental bereavement leave which are effective from 6 April 2020. The Company acknowledges that the death of a child, or a stillbirth, can be one of the most harrowing experiences of someone's life. This policy explains rights to time off, pay during time off and other support offered.

B) ELIGIBILITY

Parental bereavement leave is available from day one of employment. It is available to employees on the death of a child under the age of 18. You may take parental bereavement leave if you fall into any one of the following categories:

- A 'natural' parent
- An adoptive parent, and those with whom a child has been placed under the 'foster to adopt' scheme, provided the placement is ongoing
- A 'natural' parent where the child has been adopted but a Court Order exists to allow the 'natural' parent to have contact with the child
- An employee who is living with a child who has entered Great Britain from overseas in relation to whom has received official notification that they are eligible to adopt
- An intended parent under a surrogacy arrangement where it was expected that a parental order would be made
- A 'parent in fact' which is someone in whose home the child has been living for a period of at least four weeks before the death and has had day to day responsibility for the child, subject to exceptions. This category includes guardians and foster parents but does not include paid carers
- The partner of anyone who falls into the above categories, where they live in an enduring family relationship with the child and their parent.

In addition, parents who suffer a stillbirth after 24 weeks of pregnancy are entitled to take parental bereavement leave.

C) TAKING LEAVE

A total of two weeks may be taken as parental bereavement leave and you may choose to take leave as:

- A single block of one week

- A single block of two weeks
- Two separate blocks of one week

Leave must be taken in whole weeks and can start on any day of the week. It may be taken at any time in the 56 week period following the death.

If you have suffered a stillbirth after 24 weeks of pregnancy, you are still entitled to take the full entitlement to maternity and paternity leave, provided you were eligible to take maternity or paternity leave in the first place, in addition to parental bereavement leave. Parental bereavement leave cannot be taken at the same time as maternity or paternity leave.

Where more than one child dies or is stillborn, you are entitled to two weeks of parental bereavement leave in relation to each child.

D) NOTIFICATION REQUIREMENTS

If leave is to be taken within the first 56 days of the death, no advance notification is needed. You should contact your Line Manager by telephone, email, or text message by the time you were due to start work on the day you wish leave to begin. If it is not possible to let us know before the leave begins, please let us know as soon as is reasonably practicable after it starts, giving the date of the death, the date on which leave will start and whether one or two weeks is to be taken.

If leave is to be taken after the first 56 days have passed since the death, one weeks' notice is required. You should contact your Line Manager by telephone or email at least one week before you wish leave to start giving the date of the death, the date on which leave will start and whether one or two weeks is to be taken.

E) CANCELLING OR CHANGING DATES OF LEAVE

You can cancel a period of leave that you have already told us about, as long as the period of leave has not already started. If your leave was due to start within the first 56 days of the death and you want to cancel it, you simply need to let us know, by your normal start time on the day that leave was due to start, that you no longer wish to take it. You are then free to re-arrange the leave.

If your leave was due to start once the first 56 days since the death has passed and you want to cancel it, you should let us know no later than one week prior to the intended start date.

You can also change the start date of leave by following the corresponding notice requirements above.

F) PAYMENT DURING LEAVE

You will qualify for statutory parental bereavement pay during leave if you meet the following criteria:

- You have been continuously employed with us for at least 26 weeks by the week prior to the week in which the child dies
- Your normal average weekly earnings are not less than the lower earnings limit relevant for national insurance purposes
- You are still employed by us on the date the child dies.

Payment will be made at the rate set by the Government each year or 90% of your average weekly earnings (whichever is lower).

In order to receive statutory parental bereavement pay, you must provide us with notice including the following information within 28 days, or as soon as is reasonably practicable, of the first day of parental bereavement leave:

- The child's name
- The date of the death or stillbirth
- A declaration that you fall into the one of the categories listed under 'Eligibility' above.

G) RETURNING TO WORK

Upon your return to work, you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence unless:

- The period of leave you have taken is more than 26 weeks when added to any other period of statutory leave including maternity, paternity, adoption leave etc in relation to the same child and
- It is not reasonably practicable for you to return to the same job.

On your first day back to work, your Line Manager will set time aside to hold an informal meeting with you to discuss any arrangements regarding your return to work and any additional support we may be able to offer you.

H) EMPLOYEE ASSISTANCE PROGRAMME

We would like to remind you that you have access to a 24 hour telephone counselling service and we would like to encourage you to use it if you feel like you would like to talk to someone about your loss. The service can be accessed by telephone on 0800 047 4097 or online at healthassuredeap.com.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk.

MENOPAUSE POLICY

A) INTRODUCTION

Menopause is when your periods stop due to lower hormone levels. It usually happens between the ages of 45 and 55, although it can sometimes happen earlier. Menopause can have a big impact on your life and work for a number of years.

The purpose of this policy is to assist with creating an open and menopause friendly workplace where managers and those experiencing menopause feel comfortable discussing any issues associated with this, and to ensure the necessary help is known about and offered to those affected.

This policy applies to everyone in our organisation including employees, workers, contractors, volunteers, apprentices and interns.

B) EFFECTS OF MENOPAUSE

Physical symptoms of the menopause can include the following:

- hot flushes
- insomnia
- fatigue
- poor concentration
- headaches
- skin irritation
- urinary problems.

As a result of the above, or as an extension of the hormone imbalance, individuals going through the menopause can also experience psychological difficulties, including:

- depression
- anxiety
- panic attacks
- mood swings
- irritability
- problems with memory
- loss of confidence.

It is also commonly acknowledged that Hormone Replacement Therapy, medication which is often prescribed for menopause, can have side effects which cause problems at work. These include nausea, headaches and leg cramps.

C) COMMUNICATION

We aim to normalise conversations about menopause in the workplace and remove any stigma. Menopause should not be a taboo subject. We encourage employees to have discussions about the menopause and be supportive of each other.

It is important that, as an employee, you prioritise your personal health and wellbeing. If you are struggling with any aspect of your role because of symptoms associated with the menopause, you should tell your manager, who will treat the matter with complete confidence. So that we can give you the best support possible we encourage you to be open and honest in these conversations.

Alternatively, your manager may talk to you if they notice a change in your behaviour or performance.

We understand that you may feel uncomfortable discussing personal information with your manager. If this is the case, we encourage you to talk to another senior member of staff or the Employee Assistance Programme.

During any discussions, your manager will consider your individual situation and evaluate if any adjustments can be made. Your individual needs will be addressed sensitively and confidentiality will be maintained.

Managers will also arrange follow up sessions to review the effectiveness of any adjustments put in place.

D) MAKING ADJUSTMENTS TO YOUR ROLE

To help you in your daily duties, your manager will explore making adjustments to your role or working environment with the aim of reducing the effect that the menopause is having on you. Risk assessments will be consulted to identify potential issues. We acknowledge that the menopause affects each individual in different ways so no adjustment will be made without fully discussing it with you first.

Examples of adjustments include:

- changing your working location so you are closer to toilet facilities, away from hot and cold spots around the office or to ensure greater access to natural light
- allowing changes to our normal rules on work wear
- implementing further temperature control, such as access to a fan
- assessing how work is allocated and whether you are affected at particular points of the day
- providing a quiet place to work or relax
- allowing additional rest breaks
- providing sanitary products in toilet
- changing start and finish times
- considering flexible working hours or allowing you to work from home

Once the adjustments are agreed, they will be reviewed on an ongoing basis to ensure they are having the required effect.

We are legally obliged by the Equality Act 2010 to make reasonable adjustments to an employee's role or working conditions if they have a disability that places them at a disadvantage when performing their role and we will ensure compliance with our obligations in this regard.

You may also be entitled to make a flexible working request. Please read our flexible working policy if you would like more details.

E) IF YOU ARE UNWELL DUE TO MENOPAUSAL SYMPTOMS

You are not expected to come to work if you are unwell because of menopausal symptoms. If you are unwell you should tell the Town Clerk or your Line Manager and follow our usual sickness reporting procedure.

F) TRAINING

We will provide training to all our staff on menopause and how they can ask for help or support their colleagues.

We will ensure that all levels of management are trained on the effects of menopause, how to hold discussions with employees who are experiencing menopause and adjustments that can be made to an employee's role to remove or lessen any effects the employee is experiencing.

G) BEHAVIOUR OF OTHERS

There is an expectation on all employees to conduct themselves in a helpful and open-minded manner towards colleagues.

We maintain a zero-tolerance approach to bullying and harassment and will treat any and all complaints seriously. If you feel that you have been mistreated in any way by a colleague

because of matters related to the menopause, please tell the Town Clerk or your Line Manager

H) OTHER SUPPORT

Our employees have access to a confidential counselling telephone service who can provide advice and guidance for employees who would like support during the menopause.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk.

Other external sources of help for those experiencing menopause include [Menopause Matters](#) or [Menopause Cafe](#)).

ANDROPAUSE POLICY

A) INTRODUCTION

Andropause is defined as changes in psychological or physical health in males, attributed to age-related hormonal changes, or lifestyle or psychological problems, negatively impacting on health.

Also referred to as 'male menopause', andropause can cause a chain reaction of physical and psychological side effects. As a company, we have a duty to ensure the health, safety and welfare of all of our employees under the Health and Safety at Work Act 1974. In addition, the Equality Act 2010 outlines that individuals must not be discriminated against due to any form of disability and we recognise that the symptoms of andropause may constitute a disability. We are committed to ensuring appropriate support and assistance is provided to any employee who is going through andropause.

The purpose of this policy is to assist with creating an open and honest workplace where line managers and employees can discuss any issues associated with andropause, and to ensure the necessary support is known and offered to employees when needed.

B) EMPLOYEE RESPONSIBILITIES

It is important that, as an employee, you prioritise your personal health and wellbeing. If you are struggling with any aspect of your role as a result of symptoms associated with andropause, you should report any concerns you may have to your manager, who will treat the matter with complete confidence.

Physical symptoms of andropause can include the following:

- insomnia
- loss of muscle mass and reduced ability to exercise

- fat redistribution, such as developing a large belly or "man boobs" ([gynaecomastia](#))
- a general lack of enthusiasm or energy
- difficulty sleeping ([insomnia](#)) or increased tiredness.

As a result of the above, or as an extension of the hormone imbalance, individuals going through andropause can also experience psychological difficulties, including:

- depression
- anxiety
- poor concentration and short-term memory
- mood swings
- irritability
- problems with memory.

In order to ensure we can provide you with the best support possible we encourage you to be open and honest in these conversations.

There is an expectation on all employees to conduct themselves in a helpful and open-minded manner towards colleagues.

We maintain a zero-tolerance approach to bullying and harassment and will treat any and all complaints seriously. If you feel that you have been mistreated in any way by a colleague because of matters related to andropause, please make your concerns known to your Line Manager.

C) EMPLOYER RESPONSIBILITIES

When responding to an employee experiencing difficulties caused by andropause, line managers will maintain an open door policy so that employees feel comfortable in approaching them. They will support you to talk openly about your current situation and will not make presumptions about how it is affecting you.

During any discussions, your line manager will consider your individual situation and evaluate if any adjustments can be made. Your individual needs will be addressed sensitively and confidentiality will be maintained.

Line managers will also arrange follow up sessions in order to evaluate the effectiveness of any adjustments put in place.

We understand that you may feel uncomfortable discussing personal information with your line manager. If this is the case you are encouraged to discuss your situation with another senior member of staff, HR or our Employee Assistance Programme.

In order to assist you in your daily duties, we will explore making adjustments to your role or working environment with the aim of reducing the effect that andropause is having on you. We acknowledge that andropause affects each individual in different ways so no adjustment will be made without fully discussing it with you first.

Examples of adjustments include:

- conducting a risk assessment to identify any particular areas that are a detriment to individuals going through andropause
- assessing how work is allocated and whether the employee is affected at particular points of the day

- allowing additional rest breaks
- considering flexible working hours or allowing the employee to work from home
- making allowances for additional needs for sickness absence.

Once the adjustments are agreed, they will be reviewed on an ongoing basis to ensure they are having the required effect.

The Company is legally obliged by the Equality Act 2010 to make reasonable adjustments to an employee's role or working conditions if they have a disability that places them at a disadvantage when performing their role and we will ensure compliance with our obligations in this regard.

D) EMPLOYEE ASSISTANCE PROGRAMME

We would like to remind employees that, if you have any worries or concerns about any aspect of your situation, you have access to a confidential 24-hour telephone counselling service on 0800 047 4097.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk

WELLBEING POLICY

A) INTRODUCTION

We understand the positive impact that healthy and engaged employees make to the success of our business and that mental health will play a significant role in an employees' state of mind.

We appreciate that individuals can experience periods - sometimes prolonged periods - of poor mental health in the same way as with physical health. We commit to providing support for employees going through mental health problems because we recognise such employees can provide a substantial contribution to the success of this company.

For the purposes of this policy, the term 'mental health problem' includes mental health conditions that have been diagnosed by a medical professional as well as signs of stress and anxiety.

B) LEGAL OBLIGATIONS

We understand that, as a company, we must comply with health and safety legislation. We undertake to create a safe workplace in which we will actively take measures to limit risks to mental health and wellbeing.

We also acknowledge our obligations under the Equality Act 2010 in respect of making reasonable adjustments for employees suffering from a disability.

1) Manager Responsibilities

Where necessary, managers will invite the employee to regular private meetings and ask them to talk openly about their mental health problems. The manager will not make presumptions about how the mental health problem is impacting on the employee personally and professionally. Initial action will include checking how the employee is getting on at work, in the same manner as if the employee was suffering from a known physical health problem.

In a more general sense, managers will strive to create an environment in which employees feel capable of approaching their manager to discuss their mental health.

2) Employee Responsibilities

Any support required by the employee is likely to be known by the employee themselves. We actively encourage employees to be open and honest about their mental health and to inform their manager of any issues at an early opportunity to allow these to be addressed. There is also an expectation on all employees to conduct themselves in a helpful and open-minded manner towards colleagues who have mental health problems.

Behaviour which is deemed by us as being harassing or bullying in nature which is either a contributory factor to an employee's poor mental health, or is in reaction to the employee's current situation, is unacceptable and will be dealt with under our disciplinary procedure.

C) WELLBEING PLAN

1) Employee action plan

If a manager identifies a mental health issue, they will work alongside the employee to create a personal action plan that provides for proactive management of their mental health. This will support ongoing open communication between the manager and the employee and will result in mutually agreed steps being set in place that can be monitored on an ongoing basis.

The manager will ask the employee to draft the plan to ensure it meets their requirements, with medical support as necessary, and then it will be set in place with their manager. Any information in the plan, and the plan itself, will be kept confidential and reviewed on an ongoing basis by both the employee and their manager.

2) Workplace adjustments

We will endeavour to consider all reasonable workplace adjustments for any employee who is suffering from a mental health problem to ensure their situation does not create a barrier to actively contributing to the workplace. Once the adjustments are agreed, they will be reviewed on an ongoing basis to ensure they are having the required effect.

3) Occupational health referral

With the employee's consent, a referral may be made to our external occupational health expert who will undertake an assessment on the employee's current condition in order to ascertain how we may provide appropriate support to the employee.

4) Managing absence and return to work

Where the employee is absent by reason of their mental health concerns, their manager will communicate with the employee at regular intervals during their absence as agreed with the

employee. Our sickness absence policy will apply to the employee's absence as normal, subject to any reasonable adjustments in place for the employee.

Upon the employee's return from absence, a return to work meeting will take place and any return to work plan agreed between the manager and the employee to ensure necessary steps can be taken to support the employee to remain in work.

D) CONFIDENTIALITY

Information concerning an employee's mental health is defined as sensitive personal information. This information will only be disclosed to others where necessary.

E) TRAINING

In order to be able to provide valuable support to an employee suffering from poor mental health, managers and other relevant members of staff will attend training in how to support positive mental health and how to deal with poor mental health in employees, including how to identify the signs of poor mental health in employees and how to take appropriate measures to proactively deal with it. Training will also include the taking of swift and appropriate action to discover whether the cause of the concern is work-related.

F) EMPLOYEE ASSISTANCE PROGRAMME

We would like to remind you that further support is available by contacting our Employee Assistance Programme, a confidential 24-hour telephone counselling service, which can be accessed on 0800 047 4097.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk.

ENDOMETRIOSIS SUPPORT POLICY

A) INTRODUCTION

Endometriosis is a condition where tissue similar to the lining of the womb starts to grow in other places, such as the ovaries and fallopian tubes. We recognise that endometriosis is a long-term condition that affects women and those assigned female at birth of any age.

The main symptoms of endometriosis are:

- pain in your lower tummy or back ([pelvic pain](#))
- [period pain](#) that stops you doing your normal activities
- pain when going to the toilet

- feeling sick, constipation, diarrhoea, or blood in your urine
- difficulty getting pregnant
- fatigue
- heavy periods.

Endometriosis may also cause some women or those assigned female at birth to suffer from mental health issues such as depression.

As a company, we have a duty to ensure the health, safety and welfare of all of our employees under the Health and Safety at Work Act 1974. In addition, the Equality Act 2010 outlines that individuals must not be discriminated against due to any form of disability and we recognise that the symptoms of endometriosis may constitute a disability. We are committed to ensuring appropriate support and assistance is provided to any employee who suffers with endometriosis.

The purpose of this policy is to assist with creating an open and supportive workplace where managers and employees can discuss any issues associated with endometriosis, and to ensure the available support is known about and offered to employees when needed.

B) EMPLOYEE RESPONSIBILITIES

It is important that, as an employee, you prioritise your personal health and wellbeing. If you are struggling with any aspect of your role as a result of symptoms associated with endometriosis, you should discuss any concerns you may have with your manager, who will treat the matter with complete confidence. In order to ensure we can provide you with the best support possible we encourage you to be open in these conversations.

However, we recognise that this is a sensitive issue so if you don't feel comfortable discussing your situation with your manager, you are encouraged to speak with another senior member of staff, HR or our Employee Assistance Programme.

C) EMPLOYER RESPONSIBILITIES

When responding to an employee experiencing difficulties caused by endometriosis, managers will maintain an open door policy so that employees feel comfortable in approaching them. They will support you to talk openly about your current situation and will not make presumptions about how it is affecting you.

If you need additional support, we encourage you to speak to your Line Manager or a colleague.

Further external information and support is available at www.endometriosis-uk.org.

During any discussions, your manager will carefully consider your individual situation and if any adjustments can be made. Your individual needs will be addressed sensitively and confidentiality will be maintained.

Managers will also arrange regular welfare meetings with you to discuss any support you may need, including any adjustments that may benefit you and to evaluate the effectiveness of any adjustments already put in place.

We will explore making adjustments to your role or working environment with the aim of reducing the effect that endometriosis is having on you at work. We acknowledge that endometriosis affects each individual in different ways so no adjustment will be made without fully discussing it with you first.

Examples of adjustments we may consider include:

- conducting a risk assessment to identify any particular areas that are a detriment to individuals suffering with endometriosis
- assessing how work is allocated and whether additional support can be provided at particular points of the month
- additional rest breaks
- considering flexible or hybrid working arrangements or home working, including making arrangements for this to take place on an ad hoc basis to help manage intermittent symptoms
- changes to working hours and changes to start/finish times
- providing lighter duties or amended responsibilities
- any special equipment that may be beneficial
- adjusting absence trigger points for sickness absence relating to endometriosis.

We are legally obliged by the Equality Act 2010 to make reasonable adjustments to an employee's role or working conditions if they have a disability that places them at a disadvantage when performing their role and we will ensure compliance with our obligations in this regard.

D) TIME OFF FOR MEDICAL APPOINTMENTS

If you need time off work to attend a medical appointment you should inform your manager, giving as much notice as possible. Time can be taken in blocks of minimum one hour. You may be required to provide evidence of the time and date of the appointment.

Employees should attempt to secure any medical appointments outside of their normal working hours, or as close to the start or the end of the working day as possible. Employees are required to make up time taken off work to attend medical appointments, as agreed with the employee's manager.

E) BULLYING AND HARASSMENT

There is an expectation on all employees to conduct themselves in a supportive, sensitive and open-minded manner towards colleagues. We maintain a zero-tolerance approach to bullying and harassment and will treat any and all complaints seriously. If you feel that you have been mistreated in any way by a colleague because of matters related to endometriosis, please make your concerns known to your Line Manager.

F) EMPLOYEE ASSISTANCE PROGRAMME

We would like to remind you that further support is available by contacting our Employee Assistance Programme, a confidential 24-hour telephone counselling service, which can be accessed on 0800 047 4097.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk.

NEURODIVERSITY POLICY

A) INTRODUCTION

We are committed to promoting an inclusive environment for neurodiversity in our organisation. As part of this, we will provide appropriate workplace support to any of our employees who are neurodivergent.

Neurodiversity refers to the different ways that the brain works and interprets information. Those who are neurodivergent will process information in a different way to those who are neurotypical. Common examples of neurological conditions that may be experienced by employees and fall within the scope of this policy include, but are not limited to:

- autism, which affects a person's perception of the world and their interaction with others
- dyslexia, which can cause difficulties with how a person processes language and has an impact on their reading, writing, spelling, memory etc
- dyspraxia, which can affect a person's physical and mental co-ordination and
- attention deficit hyperactivity disorder (ADHD), which can cause inattention, impulsiveness and hyperactivity.

Although we recognise that neurodivergence can cause difficulties for affected individuals, we will focus on the strengths that are brought to the workplace.

B) EMPLOYER RESPONSIBILITIES

We are aware of our obligations under the Equality Act 2010 in relation to making reasonable adjustments for employees who have a disability where they suffer a substantial disadvantage within the workplace, in comparison to non-disabled employees. For more information on our general approach towards disability at work, please refer to our equal opportunities policy.

You will not be treated unfairly or suffer any other form of detriment at work due to your neurodivergence. You will be given the same opportunities as other staff and will not be refused employment, overlooked for promotion and training opportunities or denied any other workplace benefits due to your neurodivergence.

C) EMPLOYEE SUPPORT

We recognise that many neurological conditions are "spectrum" conditions meaning that they can affect individuals in varying ways. We will ensure that any measures implemented will be suited to each individual by undertaking a process of consultation with them. We will not adopt a "one size fits all" approach, nor will we stereotype individuals based on common characteristics associated with their neurodivergence.

D) NOTIFICATION

If you have been diagnosed with or believe that you are neurodivergent, we would encourage you to disclose this information to your Line Manager or the Town Clerk.

We appreciate that you may feel uncomfortable sharing this information, however, any information disclosed as part of this process will remain confidential and will be treated with sensitivity at all times.

Your line manager will seek to have an open and honest discussion with you about your neurodivergence, how it affects you and the impact that it may have on your duties. The discussion will then focus on adjustments that can be made to your role to remove any barriers that your neurodivergence may create.

It may be necessary for a 'needs assessment' to be arranged to help us identify exactly how your neurodivergence affects your ability to perform your role. We will then be able to use the results of the assessment to understand which adjustments will be most helpful to you.

Any information obtained about you for this purpose will be held in accordance with our obligations under data protection legislation.

E) WORKPLACE ADJUSTMENTS

The Company is legally obliged by the Equality Act 2010 to make reasonable adjustments to an employee's role or working conditions if they have a disability that places them at a disadvantage when performing their role and we will ensure compliance with our obligations in this regard.

In order to assist you in your daily duties, we will explore making adjustments to your role or working environment with the aim of reducing the effect that your neurodivergence is having on you. We acknowledge that neurodivergence affects each individual in different ways so no adjustment will be made without fully discussing it with you first.

As an illustrative guide, we have set out below examples of adjustments that may be made to reduce or remove disadvantages faced by neurodivergent employees in the workplace:

- amending working duties
- offering flexible working arrangements such as homeworking or permitting employees to start earlier or finish later
- redesigning the workplace/workstation
- providing visible instructions next to office equipment and machinery, such as photocopiers
- allowing employees to use equipment such as noise cancelling headphones
- providing employees with lockers and name labels to help them organise their work and equipment
- providing a mentor/buddy to employees when learning new tasks
- allocating work areas with more natural light.

This is not an exhaustive list and all applicable adjustments will be discussed and explored with neurodivergent employees on an individual basis to ensure the adjustments put in place are appropriate to their individual circumstances. The effectiveness of any adjustments will be reviewed on a regular basis and may be subject to change if it becomes apparent that these are no longer fit for purpose. This review will be carried out proactively between the employee and their line manager in line with our duty to make reasonable adjustments.

F) CREATING AN INCLUSIVE ENVIRONMENT

We are committed to ensuring neurodivergent employees in our organisation to feel comfortable in discussing neurodivergence, should they wish to, and the impact it has on them. We will raise awareness by:

- providing training to managers on supporting neurodivergence
- arranging activities and education campaigns on neurodivergence for all staff

- creating a support network for neurodivergent employees to ensure a safe place to go to discuss issues they may be having and to share coping strategies
- encouraging neurodivergent senior employees to talk about the impact it has on them
- creating neurodiversity champions.

G) DISCRIMINATION AND HARASSMENT

We aim to provide a safe working environment for all of our employees. If you feel that you have been exposed to unwanted conduct because of your neurodivergence, we encourage you to use our grievance procedure. This includes any conduct instigated by a fellow colleague or third party individual such as service users, agency workers or the general public. Alternatively, if you wish to adopt a less formal approach, you may decide to raise the issue with your line manager. If your complaint is in relation to the actions of your line manager, please raise it with the Town Clerk.

For more information on our approach towards grievances, please refer to our grievance policy.

FINANCIAL WELLBEING POLICY

A) INTRODUCTION

We are committed to supporting our employees with their financial wellbeing. We recognise that worries and concerns about personal finances can have a significant detrimental impact on employees' physical and mental health, as well as their ability to do their job.

We are committed to ensuring appropriate assistance is provided to any employee who experiences debt or other financial problems.

The purpose of this policy is to assist with creating an open and supportive workplace where managers and employees can discuss any issues associated with financial wellbeing, and to ensure the available resources are known about and offered to employees when needed.

B) EMPLOYEE RESPONSIBILITIES

It is important that, as an employee, you prioritise your personal health and financial wellbeing. If you find that personal financial concerns are affecting you, you should discuss this with your manager, who will treat the matter with complete confidence. In order to ensure we can provide you with the best support possible we encourage you to be open in these conversations.

However, we recognise that this is a sensitive issue so if you don't feel comfortable discussing your situation with your manager, you are encouraged to speak with another senior member of staff or our Employee Assistance Programme.

C) EMPLOYER RESPONSIBILITIES

We aim to normalise conversations about money worries at work and breakdown any stigma. Managers will maintain an open door policy so that employees feel comfortable in approaching them with their concerns. They will support you to talk openly about your

current situation and will not make presumptions about how it is affecting you. Your manager will explore with you what support or adjustments you feel would be beneficial. Your individual needs will be addressed sensitively and confidentiality will be maintained.

If you need additional support, we encourage you to speak to the Town Clerk

D) ACCESS TO EXTERNAL HELP AND ADVICE

You can get free, confidential and independent money and debt advice from the government's Money & Pensions Service (<https://moneyandpensionsservice.org.uk>). Further external information and support is available from organisations such as Citizens Advice (<https://citizensadvice.org.uk>).

E) BULLYING AND HARASSMENT

There is an expectation on all employees to conduct themselves in a supportive, sensitive and open-minded manner towards colleagues. We maintain a zero-tolerance approach to bullying and harassment and will treat any and all complaints seriously. If you feel that you have been mistreated in any way by a colleague because of matters related to your financial wellbeing, please make your concerns known to the Town Clerk

F) EMPLOYEE ASSISTANCE PROGRAMME

We would like to remind you that further support is available by contacting our Employee Assistance Programme, a confidential 24-hour telephone counselling service, which can be accessed from the details in the Handbook.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk.

Neonatal Care Leave Policy

A) INTRODUCTION

- 1) Employees have a statutory right to neonatal care leave from day one of employment where they are responsible for a child receiving neonatal care, subject to eligibility requirements. We recognise that this can be a difficult and worrying time, both physically and mentally. This policy explains your rights to time off, pay during time off and other support offered. Employees will not be subject to detriment for taking neonatal care leave.

B) ENTITLEMENT

- 1) You may take neonatal care leave if you have parental or other prescribed responsibility for a child who is receiving, or who has received, neonatal care. This will apply if you are:
 - a) the child's parent, intended parent, or partner of the child's mother at the date of birth
 - b) in cases of adoption, the child's adopter, prospective adopter, or the partner of either, at the date the child is placed.

- 2) You are entitled to take neonatal care leave where you are responsible for a child receiving neonatal care that lasts for at least 7 consecutive days and starts within 28 days beginning with the day after the child's birth.
- 3) You are entitled to take one week of neonatal care leave for each consecutive 7 day period that your child is receiving neonatal care, up to a maximum of 12 weeks
- 4) 'Neonatal care' is defined in law as medical care that may be received in hospital, or out of hospital providing the child was originally an inpatient and the care is under the direction of a consultant. Neonatal care also covers children receiving palliative or end of life care.
- 5) We recognise that people other than those listed above in relation to whom the statutory right applies may want time off in these circumstances. Requests for time off in relation to these people should be made to your line manager but these will be considered separately to time off for statutory neonatal care leave.

C) NOTICE REQUIREMENTS

- 1) You can take neonatal care leave during two periods:
 - a) "tier 1 period" – starts from the day the child starts receiving neonatal care, ending with the 7th day after the child stops receiving neonatal care. Leave taken in this period can be taken in non-consecutive weeks.
 - b) "tier 2 period" – any period which is outside of "tier 1" during which you are entitled to neonatal care leave. Leave taken in this period must be taken consecutively.
- 2) You must provide the following information when you notify us of your intention to take neonatal care leave:
 - a) your name
 - b) the child's date of birth; and date of placement if adoption
 - c) date(s) the child started receiving neonatal care
 - d) date neonatal care ended if the child is no longer receiving it
 - e) date you want the leave to begin
 - f) number of weeks' leave you want to take
 - g) declaration that you are taking the leave to care for the child
 - h) declaration that you meet the eligibility requirements.
- 3) If you wish to take neonatal care leave in the tier 1 period you must simply notify us verbally by contacting your line manager before you are due to start work on your first day of leave, unless it is not reasonably practicable to do so, in which case you must notify us as soon as it is reasonably practicable. In practice, this means that no advance notice is needed but you must let us know before you start work on that day, where reasonably practicable.
- 4) Where you have given notice in the tier 1 period of your intention to take neonatal care leave before the child has stopped receiving neonatal care, you must tell us the date that the neonatal care ends, as soon as is reasonably practicable after that date.
- 5) Where the child starts to receive neonatal care again after you have told us that neonatal care has ended, you must tell us the date that the neonatal care started again and the date when it ends, as soon as reasonably practicable after each date.
- 6) If you wish to take neonatal care leave in the tier 2 period you must give us the required notice in writing no later than 15 days before the first day of leave when taking a single week, or no later than 28 days before the first day of leave when taking two or more weeks.

- 7) If you change your mind about taking neonatal care leave, you can withdraw your notice by following the same notice periods that you are required to give to take leave.
- 8) Notwithstanding the above, we may agree to waive the notice requirements where appropriate depending on the circumstances.
- 9) Your neonatal care leave will start on the day specified when you give notice unless the leave is due to start on the same day as the notice is given, or you are at work on that day, then it will start the day after.

D) TAKING LEAVE

- 1) You cannot take neonatal care leave before the day after the first 7 day uninterrupted period of neonatal care. Neonatal care leave can only be taken in minimum blocks of one week.
- 2) You must take the leave before the end of a period of 68 weeks beginning with the child's date of birth or date of placement in cases of adoption.
- 3) If you accrue neonatal care leave after already starting another period of statutory family leave, such as maternity or paternity leave, then you can take the neonatal care leave after the end of the statutory family leave, providing it is within 68 weeks beginning on the child's date of birth or placement.

E) PAY DURING LEAVE

- 1) You are entitled to statutory neonatal care pay during neonatal care leave if you:
 - a) are eligible for statutory neonatal care leave
 - b) have 26 weeks' continuous service by the relevant week
 - c) earn at least the lower earnings limit on average calculated over the period of eight weeks ending with the relevant week
 - d) are still in employment in the week before neonatal care starts.
- 2) Where you are entitled to another form of statutory family leave payment, such as statutory maternity pay, the relevant week is the same as the qualifying week for that payment. In all other cases, the relevant week is the week immediately before neonatal care starts.
- 3) If you are eligible, you are entitled to a maximum of 12 weeks' statutory neonatal care pay, paid at one week per every 7 uninterrupted days of care the child receives.
- 4) The weekly rate of statutory neonatal care pay is the lower of:
 - a) the current statutory rate
 - b) 90% of your normal weekly earnings.
- 5) If you are eligible for statutory neonatal care pay, you need to give us notice in writing of your intention to claim it alongside your notice of intention to take neonatal care leave.
- 6) Where you are claiming statutory neonatal care pay in the tier 1 period, you must provide notice before the end of 28 days after the first day of the pay week the notice refers to.
- 7) If you are claiming statutory neonatal care pay in the tier 2 period, you must provide notice no later than 15 days before the first day of the relevant pay week when taking a single week, or no later than 28 days before the first day of the first relevant pay week when taking two or more weeks.

- 8) The notice must include:
 - a) your name
 - b) the child's date of birth; and date of placement if adoption
 - c) date(s) the child started receiving neonatal care
 - d) date neonatal care ended if the child is no longer receiving it
 - e) declaration that the week you are claiming pay for was taken to care for the child
 - f) declaration that you meet the eligibility requirements.

F) RETURNING TO WORK

You have the right to return to work to the same job unless you return after a specific point at which you will have the right to return to a similar job on no less favourable terms if it is not practicable for you to return to the same job. Your manager will explain how this affects you based on your individual circumstances.

G) EMPLOYEE ASSISTANCE PROGRAMME

- 1) We would like to remind you that you have access to a 24-hour telephone counselling service and we would like to encourage you to use it if you feel you would like to talk to someone about your situation.
- 2) As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from your Manager.

H) OTHER RELATED POLICIES

For more information on time off in relation to children, please read our policies on maternity leave, adoption leave, paternity leave, parental leave, shared parental leave and parental bereavement leave.

I) USE OF NEONATAL CARE LEAVE

Employees who take time off under this policy for reasons other than those for which the statutory right to neonatal care leave is intended may be subject to investigation and subsequent disciplinary proceedings.



Okehampton Town Council

Okehampton Town Council

DRAFT Sexual Harassment Policy

A) INTRODUCTION

- 1) All members of staff are entitled to be treated with dignity and respect in our place of work. This means freedom from sexual harassment, feeling safe and supported, and having access to redress if such behaviour does arise.
- 2) Sexual harassment takes many forms but whatever form it takes, it is unlawful under the Equality Act 2010 as amended. We will not tolerate it.
- 3) The law requires employers to take reasonable steps to prevent sexual harassment of their workers. We take action to prevent sexual harassment from occurring and have clear reporting procedures for our staff to make a complaint about sexual harassment. If you have been sexually harassed, or you have witnessed sexual harassment, we encourage you to tell us so that we can deal with the matter swiftly. Our reporting procedure is set out below.
- 4) Okehampton Town Council has overall responsibility for the operation of this policy but may delegate elements of implementation or decision making to the Town Clerk. Our managers will maintain an open-door policy. All our staff have a responsibility to behave in line with the requirements of this policy.
- 5) Instances of sexual harassment or victimisation may lead to disciplinary action including termination of employment.
- 6) This policy is reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness. Any changes required will be implemented and communicated to our workforce.

B) SCOPE

We deplore all forms of sexual harassment and seek to ensure that the working environment is safe and supportive to all those who work for us. This includes employees, workers, agency workers, volunteers and contractors in all areas of our work.

C) DEFINITIONS

- 1) Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It also covers treating someone less favourably because they have submitted to or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex.
- 2) Sexual harassment may be committed by a fellow worker, an agent of an organisation, or a third party. It does not need to occur in person. It can occur via digital means including social media sites or channels e.g. Whatsapp. Someone may be sexually harassed even if they were not the target of the behaviour. Examples of sexual harassment include, but are not limited to:
 - a) sexual comments or jokes, which may be referred to as 'banter'
 - b) displaying sexually graphic pictures, posters or photos

- c) suggestive looks, staring or leering
- d) propositions and sexual advances
- e) making promises in return for sexual favours
- f) sexual gestures
- g) intrusive questions about a person's private or sex life or a person discussing their own sex life
- h) sexual posts or contact in online communications including on social media
- i) spreading sexual rumours about a person
- j) sending sexually explicit emails, text messages or messages via other social media
- k) unwelcome touching, hugging, massaging or kissing

3) Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do an act which is protected under discrimination and harassment laws. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation.

4) The protected acts are:

- a) making a claim or complaint under the Equality Act 2010 (for example, for discrimination or harassment)
- b) helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act 2010
- c) making an allegation that someone has breached the Equality Act 2010, or
- d) doing anything else in connection with the Equality Act 2010

5) Examples of victimisation may include:

- a) Failing to consider someone for promotion because they have previously made a sexual harassment complaint
- b) Dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint
- c) Excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

D) CIRCUMSTANCES WHICH ARE COVERED

This policy covers behaviour which occurs in the following situations:

- a) an interaction occurring during your working hours in the course of your work
- b) an interaction occurring outside of the normal workplace or normal working hours which is related to work, for example, a working lunch, a business trip or social functions
- c) an interaction occurring outside the course of your work but involving a colleague or other person connected to the Company, including on social media
- d) an interaction occurring outside the course of your work and against any other person where the incident is relevant to your suitability to carry out the role.

E) WHAT TO DO IF YOU ARE SUBJECT TO SEXUAL HARASSMENT OR VICTIMISATION

1) We are committed to ensuring that there is no sexual harassment or victimisation in our workplace. Allegations of sexual harassment and victimisation will be treated as a disciplinary matter, although every situation will be considered on an individual basis and in accordance with the principles of our disciplinary procedures, a copy of which is available from the Town Clerk.

2) Informal complaint

We recognise that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that you may not wish 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 you) as a confidential helper. This person cannot be the

same person who will be responsible for investigating the matter if it becomes a formal complaint.

- 3) If you experience sexual harassment and you feel comfortable to do so, 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 hand a written request to the harasser, and your confidential helper can assist you in this.
- 4) In addition, you may also choose to raise concerns during your regular communication with your manager, for example, in a 1-2-1 meeting. Your manager will listen to you and take your concerns seriously if you do this and may encourage you to follow the reporting procedures set out below.

- 5) **Formal complaint**

Where the informal approach fails or you do not wish to use the informal procedure, you should bring the matter to the attention of the Town Clerk or your line manager as a formal written complaint and again your confidential helper can assist you in this.

If possible, you should keep notes of what happened so that the written complaint can include:

- a) the name of the alleged harasser;
- b) the nature of the alleged harassment;
- c) the dates and times when the alleged harassment occurred;
- d) the names of any witnesses; and
- e) any action already taken by you to stop the alleged harassment.
- 6) 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 contractual pay until the matter has been resolved.
- 7) 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. The meeting will normally be held within five working days of receipt of your complaint. 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 may be dealt with under the disciplinary procedure.
- 8) On conclusion of the investigation, which will normally be within ten working days of the meeting with you, the decision of the investigator, detailing the findings, will be sent in writing to you.
- 9) You have the right to appeal against the findings of the investigator. If you wish to appeal you must inform the Town Clerk within five working days. You will then be invited to a further meeting.
- 10) Following the appeal meeting, you will be informed of the final decision, normally within ten working days, which will be confirmed in writing.
- 11) Regardless of the outcome of the procedure, we are committed to providing the support you may need. This may involve mediation between you and the other party or some other measure to manage the ongoing working relationship.
- 12) You will not be victimised for having brought a complaint.

F) WHAT TO DO IF YOU WITNESS SEXUAL HARASSMENT OR VICTIMISATION

- 1) If you witness sexual harassment or victimisation, you are encouraged to take appropriate action to address it. You should not take any action that may put you at risk of sexual harassment or other harm. If you feel able, you should intervene to prevent the matter continuing. If you are not able to do this, your action may include offering support to the person who has been sexually harassed and encouraging them to report the incident or reporting the incident yourself.
- 2) If reporting the incident, you should bring the matter to the attention of the Town Clerk or your line manager in writing.
- 3) Your concerns will be handled by Town Clerk or your line manager who will sensitively talk to the person subject to sexual harassment to determine how they want the matter to be handled.

G) THIRD-PARTY SEXUAL HARASSMENT

- 1) Third-party sexual harassment occurs when a member of our workforce is subjected to sexual harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes but is not limited to our councillors, volunteers, customers, suppliers, members of the public.
- 2) Third-party sexual harassment of our workforce is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties.
- 3) The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, failure for an employer to take reasonable steps to prevent third-party sexual harassment may result in legal liability in other types of claim.
- 4) In order to prevent third-party sexual harassment from occurring, we will:
 - a) attach signage to the walls of the areas within the workplace where customers are present to warn that sexual harassment of our staff is not acceptable
 - b) inform third-parties i.e. suppliers of our zero-tolerance sexual harassment policy within our supplier documentation
- 5) If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible to the Town Clerk or your line manager.
- 6) Should a customer sexually harass a member of our workforce, we will warn them about their behaviour and consider banning them from the premises. Any criminal acts will be reported to the police.
- 7) We will not tolerate sexual harassment by any member of our workforce against a third party. Instances of sexual harassment of this kind may lead to disciplinary action including termination of employment.

H) DISCIPLINARY ACTION

- 1) If the decision is that the allegation of sexual harassment or victimisation is well founded, the harasser/victimiser will be liable to disciplinary action in accordance with our disciplinary procedure up to and including summary dismissal. An employee who receives a formal warning or who is dismissed for sexual harassment/victimisation may appeal by using our disciplinary appeal procedure.
- 2) When deciding on the level of disciplinary sanction to be applied, we will take into consideration any aggravating factors affecting the case. One example of aggravating factors is an abuse of power over a more junior colleague.
- 3) If, due to the investigation, it is concluded that your complaint is both untrue and has

been brought with malicious intent, disciplinary action will be taken against you.

I) TRAINING

- 1) We provide training to all our staff on sexual harassment to ensure there is a clear understanding of, amongst other things, what sexual harassment is and how it may occur, that it will not be tolerated, expected levels of behaviour, how they can report any incidents of having been sexually harassed or having witnessed it and that acts of harassment will be dealt with under the disciplinary procedure potentially resulting in dismissal.
- 2) We ensure that all levels of management are trained on implementing this policy including preventing and managing sexual harassment in the workplace, and the procedure to follow if an allegation is reported.
- 3) We will regularly review the effectiveness of our training.
- 4) We provide refresher training as appropriate.

J) EMPLOYEE ASSISTANCE PROGRAMME

- 1) We would like to remind you that further support is available by contacting our Employee Assistance Programme, a confidential 24-hour telephone counselling service, which can be accessed on (**insert details**).
- 2) As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from the Town Clerk.

K) EXTERNAL SOURCES OF HELP

- 1) External organisations that can provide advice and support include:
 - The Equality Advisory and Support Service (<https://www.equalityadvisoryservice.com/>).
 - Protect (www.protect-advice.org.uk).
 - Victim support (www.victimsupport.org.uk).
 - Rape crisis (www.rapecrisis.org.uk).
 - Rights of women (England and Wales) (www.rightsofwomen.org.uk).
 - Scottish Women's Rights Centre (Scotland) ([https://www.scottishwomensrightscentre.org.uk/](http://www.scottishwomensrightscentre.org.uk)).

