

WELLS CITY COUNCIL

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EMPLOYMENT POLICIES HANDBOOK

**October 2014
Reviewed March 2018**

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(Please see the accompanying document: Wells City Council Staff Induction Booklet 2014)

EMPLOYMENT POLICIES HANDBOOK

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FAMILY-FRIENDLY POLICIES

1. **Maternity / Paternity / Adoption / Parental Leave** and
2. **Flexible Working**

are operated in accordance with current legislation, the 'Green Book', and ACAS guidance.

3. **TIME OFF FOR DEPENDANTS POLICY**

- 3.1 The Council recognises that situations arise where you need to take time off work to deal with an emergency involving someone who depends on you. Provided the reasons for such a request are genuine and you inform the Town Clerk as soon as possible that you need this time off, you will be allowed reasonable **unpaid** time off work to deal with such emergencies.

Dependants

- 3.2 Your husband, wife or partner, child or parent, or someone living with you as part of your family can all be considered as depending on you. Others who rely solely on you for help in an emergency may also qualify. For further detail as to who counts as depending on you and guidance on individual circumstances, please speak to the Town Clerk.

The Emergency

- 3.3 The right to time off only covers emergencies. If you know in advance that you're going to need time off, you may be able to arrange this with the Council by taking another form of leave, such as parental, maternity, paternity or adoption leave.
- 3.4 For these purposes, an emergency is an unexpected situation that arises where someone who depends on you:
 - 13.4.1 is ill and needs your help
 - 13.4.2 is involved in an accident or assaulted
 - 13.4.3 needs you to arrange their longer term care
 - 13.4.4 needs you to deal with an unexpected disruption or breakdown in care, such as a childminder or nurse failing to turn up
 - 13.4.5 goes into labour
- 3.5 You can also take time off if a dependent dies and you need to make funeral arrangements or attend the funeral.

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Length of Time Off

- 3.6 You can only take off as long as it takes to deal with the immediate emergency. For example, if a dependent is ill you can take enough time off to deal with their initial needs, such as taking them to the doctor and arranging for their care. You cannot take time off work to provide that care yourself and will need to make alternative arrangements for their longer term care. If you want to stay off work longer to care for them yourself you will normally need to take this as part of your annual leave entitlement.
- 3.7 As a general benchmark, no more than a day should be necessary.

Notice

- 3.8 You must tell the Council as soon as possible why you are away from work and how long you expect to be off. In extreme cases of emergency where you cannot inform the Council of your absence before your return to work, on your return you should still inform your line manager why you were absent.

4. RELATIONSHIPS AT WORK

- 4.1 This policy covers all employees of the Council. It is intended to provide guidance in areas where personal relationships overlap with working relationships and is intended to ensure that individual members of staff are not open to allegations of impropriety, bias, and abuse of authority or conflict of interest. It is also intended to set out employees' rights and responsibilities to one another.
- 4.2 The Council values the integrity of professional relationships between its employees and in order that the Council's business is conducted in a professional manner and perceived to be conducted in a professional manner it is necessary to distinguish between, and take account of, personal relationships which overlap with professional ones.
- 4.3 In the context of this policy, a personal relationship is defined as:-
- 4.3.1. a family relationship; or
 - 4.3.2. a sexual/romantic relationship.
- 4.4 Both the Council and any employees who are in personal relationships with any other employee shall take all reasonable steps to ensure that personal relationships neither advantage nor unfairly disadvantage those involved.
- 4.5 If an employee becomes involved in a personal relationship with a fellow employee, it is the responsibility of both individuals to deal appropriately with any potential conflicts of interest. Ideally, such relationships should be reported, in confidence, to the Town Clerk, particularly where the relationship is between a manager and his/her subordinate.

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- 4.6 Employees should take care that financial, familial or personal relationships entered into on a consensual basis do not advantage or unfairly disadvantage any member of staff or other individuals.
- 4.7 Employees involved in personal relationships should exercise due regard for the professional nature of the workplace and behave in a professional manner at all times paying due consideration to colleagues, customers and clients.
- 4.8 Where a personal relationship exists between employees who are in a line management or supervisory relationship at work they must not be involved in recruitment, selection, appraisal, promotion or in any other management activity or process involving the other party whereby there may be a conflict of interest or perceived conflict of interest as a result of the personal relationship. In such circumstances the relevant line manager should be informed and will, where appropriate, make alternative arrangements and confirm them in writing. The relevant line manager will treat these matters in confidence.
- 4.9 If there is any inequality or perceived inequality in the relationship, extra care should be taken and employees' attention is drawn to the sexual harassment policy. Sexual harassment is defined as "any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which occurs with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment". Employees involved in personal relationships at work should ensure that any such relationships are fully consensual and are not and cannot be perceived as an exploitation of one party's position in relation to another.
- 4.10 Any employee who is, or who has been, involved in a sexual/romantic relationship with another member of staff, and who does not consider their involvement to be truly consensual, will have the right to complain under the Council's harassment policy / grievance procedure.
- 4.11 Applicants for employment within the Council will be asked to declare whether they are in a personal relationship with any existing employee of the Council. The existence of a relationship between an applicant and an employee will not bar anyone from applying to the Council for employment, but relationships must be declared at the outset.
- 4.12 External and internal applicants for posts will be asked to declare relevant personal relationships when applying for the post to ensure that the member of staff they are related to / in a relationship with, has no involvement in the application process.
- 4.13 Managers and staff who are uncertain about whether they should take action regarding a personal relationship (whether their own or someone else's relationship that is affecting them) are invited to seek guidance in confidence from the Town Clerk.
- 4.14 Employees should be aware that a breach of this policy could lead to disciplinary action being taken.

5. BEREAVEMENT POLICY

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It is the policy of the Council to grant all employees bereavement time off when a death occurs in an employee's immediate family (i.e. mother, father, wife/husband, live in partner, sister, brother, daughter, son or grandchildren). An employee will not be eligible to receive bereavement time-off benefits while off or absent from work because of holiday, sickness (paid or unpaid) or for any other reason.

HEALTH AND SAFETY POLICIES

6. HEALTH AND SAFETY AT WORK POLICY STATEMENT

- 6.1 The Council recognises that it has a legal duty of care towards protecting the Health and Safety of its employees and others who may be affected by the Council's activities.
- 6.2 In order to discharge its responsibilities the management will:
 - 6.2.1 provide an organisational structure that defines the responsibilities for health and safety
 - 6.2.2 ensure that the systems and procedures relating to this Policy Statement are rigorously applied
 - 6.2.3 provide adequate control of the health and safety risks arising from our work activities
 - 6.2.4 consult with our employees on matters affecting their health and safety
 - 6.2.5 provide and maintain safe plant and equipment
 - 6.2.6 ensure the safe handling and use of hazardous substances
 - 6.2.7 provide information, instruction and supervision for employees
 - 6.2.8 provide adequate training and ensure that all employees are competent to do their tasks
 - 6.2.9 prevent accidents and cases of work-related ill health
 - 6.2.10 maintain safe and healthy working conditions
 - 6.2.11 satisfy itself that any organisation who is contracted to carry out work for the Council is able to demonstrate that it pays due regard to health and safety matters
 - 6.2.12 bring this Policy Statement to the attention of all employees and seek their co-operation in supporting the management in its efforts to establish and maintain a safe and healthy working environment.
- 6.3 This Health and Safety Policy Statement and its associated organisational arrangements, systems and procedures, will be reviewed at least annually and revised as necessary to reflect changes to the business activities. Any changes to the Policy will be brought to the attention of all employees.

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- 6.4 It is the responsibility of all employees to co-operate in the implementation of this Health and Safety Policy within their areas of influence. All employees have a legal duty to ensure their own safety and the safety of others (for example, colleagues, visitors, contractors) under the Health and Safety at Work etc Act 1974. Employees must therefore:
- 6.4.1 Comply with any safety instructions and directions issued by the Council.
 - 6.4.2 Take reasonable care for your health and safety and the health and safety of other persons (e.g. other employees, contractors, customers, workmen, etc.) who may be affected by your acts or omissions at work, by observing safety rules which are applicable to you.
 - 6.4.3 Co-operate with the Council to ensure that the aims of the Health and Safety policy are achieved and any duty or requirement on the Council by or under any of the relevant statutory provisions is complied with.
 - 6.4.4 Report and co-operate in the investigation of all accidents or incidents that have led to or may lead to injury.
 - 6.4.5 Use equipment or protective clothing provided in accordance with the training you have received.
 - 6.4.6 Report any potential risk or hazard or malfunction of equipment to the appropriate authority.
- 6.5 Any failure by an employee to comply with any aspect of the Council's health and safety procedures, rules or duties will be treated by the Council as serious or gross misconduct.
- 6.6 You have a responsibility to observe all safety rules and to co-operate with the manager charged with responsibility for the implementation of the Council's health and safety policy to achieve a healthy and safe workplace and to take reasonable care of yourself and others.
- 6.7 The Town Clerk on behalf of the Members of the Council is to co-ordinate the implementation of the Health and Safety at Work Policy.
- 6.8 A central record will be maintained containing such Statutes, Approved Codes of Practice, Guidance Notes, Certificates, Risk Assessment Reports, Terms of Reference, Accident Reports and Investigations as are relevant.
- 6.9 The Town Clerk is responsible for ensuring that all members of staff are given the appropriate information, instruction and training to enable the activities of the Council to be carried out safely.

7. ALCOHOL AND DRUG ABUSE POLICY

- 7.1 Employees must not drink alcohol on the Council's premises or the premises of its customers or clients whilst working/on duty.
- 7.2 Any employee who is found consuming alcohol on the Council's premises or the premises of its customers and clients or is found to be intoxicated when the employee

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should be working will face disciplinary action on the ground of gross misconduct under the Council's disciplinary procedure.

- 7.3 Existing and prospective employees may be asked to undergo a medical examination, which will seek to determine whether he/she has taken a controlled drug or has an alcohol abuse problem.
- 7.4 A refusal to give consent to such an examination or a refusal to undergo the screening will result in the immediate withdrawal of any offer made to prospective employees and will normally be treated as gross misconduct for employees.
- 7.5 The possession, use or distribution of drugs for non-medical purposes on the Council's premises is strictly forbidden and a gross misconduct offence.
- 7.6 If an employee is prescribed drugs by their doctor which may affect their ability to perform their work s/he should discuss the problem with the Town Clerk.
- 7.7 If the Council suspects there has been a breach of this policy or work performance or conduct has been impaired through substance abuse, the Council reserves the right to require an employee to undergo a medical examination to determine the cause of the problem.
- 7.8 If an employee refuses to undergo a medical examination in such circumstances refusal will normally be treated as gross misconduct.
- 7.9 If, having undergone a medical examination, it is confirmed that the employee has been positively tested for a controlled drug, or admits there is a problem, the Council reserves the right to suspend the employee from employment (with or without pay) to allow the Council to decide whether to deal with the matter under the terms of the Council's disciplinary procedure and/or to require the employee to undergo treatment and rehabilitation.
- 7.10 The Council reserves the right to search an employee or any of his/her property held on Council premises at any time if there are reasonable grounds to believe that this policy is being or has been infringed or for any other reason. [If an employee refuses to comply with these search procedures, such refusal will normally be treated as gross misconduct.]
- 7.11 The Council reserves the right to inform the police of any suspicions it may have with regard to the use of controlled drugs by its employees on the Council's premises.

8. LONE WORKING GUIDANCE

Introduction

- 8.1 People who work by themselves, either on a regular, permanent or occasional basis can be at greater risk from assaults and accidents than other workers. This guidance is to assist managers and staff, to reduce the risk of harm occurring to lone workers.
- 8.2 With proper management and control of the risks those who work alone can be as safe as everyone else at work can.

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Who is a lone worker?

- 8.3 Lone workers are simply those people who work by themselves, without close or direct supervision. This situation can occur in fixed establishments, where one person works in an area separate from others, or works outside of the normal office hours. More frequently it is staff working away from their fixed base e.g. maintenance workers.
- 8.4 People will generally know when they are working alone, but there are situations where even when an office is normally crowded, people can be working in isolation e.g. in a meeting or interview room.

Risk assessment

- 8.5 The need to assess the risks associated with any work activity applies to, staff who work alone. The risk assessment process is the responsibility of managers, and this will ensure that the hazards and level of risks are identified, and if necessary action taken to avoid and/or control the risks.
- 8.6 Control measures may include; issuing safe working instructions, training, supervision, issuing personal protective equipment. Managers should ensure that control measures are implemented. The risk assessment should be reviewed regularly to ensure that it is always kept up to date if situations change.
- 8.7 It is important that employees are consulted on the risk assessment, as they can provide valuable information and advice. Where risk assessments identify that it is not possible for the work to be done safely by a lone worker, arrangements for providing help or back up should be put in place.
- 8.8 If a lone worker carries out their work at another employer's site, information should be provided about any risks for the manager to carry out the risk assessment and ensure that the right action is taken to ensure the safety of the lone worker.

Lone worker advice

- 8.9 It is impossible to identify all of the hazards that a lone worker may face, many may be transient in nature. It is important to protect staff against all known risks and to equip them with adequate training and information to assist them in dealing with any risky situations that they may encounter ranging from dealing with aggressive clients to entering an unsafe building. Specific safe working arrangements should be implemented and developed.
- 8.10 The following may be drawn from for local guidance.

Lone working in premises

- Ensure that you know relevant emergency procedures and can act appropriately when an alarm is raised
- Be aware of any other procedures intended for your safety and use them.

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- If dealing with clients/the public, find out if there have been problems that may affect your safety and use them- if in doubt, have another member of staff available.
- Know where and how to obtain help if needed, e.g. first aid assistance.
- Know the security measures for your workplace and use them correctly.

Lone working in the community

- Ensure that your line manager knows your intended movements and inform them if they change.
- Ensure that any communication device, such as a telephone, or alarm, works and that it is checked regularly.
- Plan your route to avoid quiet streets, dark areas and possible dangerous areas.
- Use well frequented streets on your route.
- When travelling at night stay in well lit areas.
- If travelling by car, park as close to the site you are visiting as possible.
- Do not leave items within clear sight in a vehicle.
- If you feel threatened in any way, do not continue to your destination.

Visiting other people and unknown premises

- Ensure that your line manager/colleague is aware of your intended visit and inform them if there is any problem or changes.
- Follow the procedures for maintaining contact with your manager.
- If you have doubts about potential risks, from the place or person you are planning to visit, check if it is safe to visit alone.
- Try not to visit alone for the first time, and especially not after dark.
- Do not allow any doors to be locked behind you.
- Always follow other people into a room and make sure your exit is clear.
- Be aware of dogs, other animals or other people at the site.
- Suggest that dogs and other animals be kept in a separate room if possible.
- If you are in any doubt about your safety, do not enter the premises.
- Be aware of your surroundings and look out for unstable or slippery surfaces, Do not under any circumstances enter confined spaces or dangerous structures.
- Report incidents or hazardous conditions.

Manual handling

- Avoid manual handling, if at all possible, by using mechanical aids, Always assess the situation, and if there is any doubt about the safety of carrying out a manual handling task, do not do it.
- Follow good practice handling technique as you have been advised in your training and safe working instructions.
- If the task requires more than one person, do not do it until assistance is provided.

Working at home

- Develop a routine; this will help to avoid stress.
- Communicate regularly with your line manager.
- Be aware of any hazards around and inside the house.
- Know what to do in an emergency situation.
- Check that equipment is safe to use.

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- Follow the good practice as advised in your safe working instructions.

Other risks

It is not always possible to be prepared for every eventuality but you need to be aware and judge the risks and take appropriate action. If you are unsure of what to do, talk to your manager. **Above all do not put yourself at risk, if there is any danger stop work or leave the location.**

What to do if an incident occurs

- Try to remain calm.
- In a potentially violent situation, talk quietly, as your training advises.
- Whenever possible, remove yourself from the scene as soon as possible.
- Do not attack an potential assailant, - run away if possible towards a friendly group or busy and well populated area.
- If you witness an incident, try to remember as much as you can to help in any investigation.
- Report the incident immediately to your manager.
- Complete an incident report form and follow your reporting procedures.
- Report the incident to the police, if necessary.

Further assistance and advice

The Health and Safety Executive Leaflet - Working Alone In Safety INDG 73, available from www.hse.gov.uk / Tel: 08701 545500

EMPLOYMENT RELATED POLICIES

9. EQUAL OPPORTUNITIES POLICY

9.1 Wells City Council is an equal opportunity employer. The Council is committed to ensuring within the framework of the law that our workplaces are free from unlawful or unfair discrimination on the grounds of disability, colour, race, nationality, ethnic or national origin, sex, gender (including gender reassignment), sexual orientation, age, marital status, religious or other similar philosophical belief. Wells City Council aims to ensure that its employees achieve their full potential and that all employment decisions are taken without reference to irrelevant or discriminatory criteria. The Council has adopted this policy as a means of helping to achieve these aims.

What is discrimination?

9.2 Direct discrimination occurs where someone is put at a disadvantage on discriminatory grounds in relation to his or her employment. Direct discrimination may occur even when unintentional.

9.3 Indirect discrimination occurs where one individual's employment is subject to an unjustified provision criterion or practice which e.g. one sex or race/nationality or age group finds more difficult to meet, although on the face of it the provision criterion or practice is 'neutral'.

9.4 The Council is committed to ensuring that all of its employees and applicants for employment are protected from unlawful discrimination in employment.

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- 9.5 Recruitment and employment decisions will be made on the basis of fair and objective criteria.
- 9.6 Person and job specifications shall be limited to those requirements which are necessary for the effective performance of the job.
- 9.7 Interviews will be conducted on an objective basis and personal or home commitments will not form the basis of employment decisions except where necessary and relevant.
- 9.8 All employees have a right to equality of opportunity and a duty to implement this policy. Discrimination is a serious disciplinary matter which will normally be treated as gross misconduct.
- 9.9 Anyone who believes that he or she may have been disadvantaged on discriminatory grounds should raise the matter through the Council's grievance procedure.

10. EQUAL PAY POLICY

- 10.1 The Council is committed to the principle of equal pay for men and women. In this context "pay" includes not only remuneration but also other benefits of employment such as promotion and training opportunities and access to facilities provided within the employment package from time to time.
- 10.2 The Council is committed to introducing and maintaining pay systems which are transparent, based on objective criteria and free from sex bias.
- 10.3 Women and men employed by the City Council are entitled to equal pay if they are undertaking work which is substantially similar or is of equal value to the organization, unless there are specific and clear reasons unconnected with their sex which explain and justify any differential in pay. In some cases individuals carrying out similar work may receive different salaries because of seniority, incremental points, qualifications and other such factors.
- 10.4 Any query or grievance concerning pay and its evaluation should be raised in accordance with the Council's grievance procedure.

11. DISCIPLINARY POLICY

- 11.1 The aims of the Council's disciplinary policy are:-
- 11.1.1 To ensure that all employees comply with the Council's rules and procedures.
 - 11.1.2 To ensure a fair and consistent approach when dealing with disciplinary issues.
 - 11.1.3 To bring unsatisfactory conduct or performance to your attention.
 - 11.1.4 To resolve problems of conduct or performance and wherever possible to avoid dismissal.
- 11.2 The Council's disciplinary procedure is used to deal with issues of misconduct, gross misconduct and incapability.
- 11.3 The Council's disciplinary procedure has three clear stages as follows:-

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11.3.1 **Investigation by the Council.** The employee's contract of employment will continue whilst the Council considers the allegations made against them. It might be necessary to suspend the employee from employment during the period of investigation. Suspension will be either with or without pay depending on the circumstances of the case. If suspended, the contract of employment will continue but the employee will not be allowed to enter the Council's premises or contact any of their fellow employees or any of the Council's customers/clients without prior permission. The employee will only be suspended if the allegations made against him/her are very serious. The Council will endeavor to complete its investigations as soon as possible.

11.3.2 **Disciplinary hearings.** In most cases of misconduct the Council will hold a formal disciplinary hearing before the Disciplinary Panel. The Disciplinary Panel will consist of the Chairman and two members of the Staffing Committee, to be selected by that Committee. Before the hearing the employee will be given details of the allegations made against him/her. At the hearing s/he will have an opportunity to respond to those allegations and (if appropriate) to call and question any relevant witnesses. The employee has a right to be accompanied at disciplinary hearings by either a work colleague or trade union representative. The decision of the disciplining officer will be confirmed to the employee in writing as soon as possible following the disciplinary hearing.

11.3.3 **Appeals.** The employee has the right to appeal at any stage of the disciplinary procedure, **whether or not a formal disciplinary hearing has been held.** The employee can exercise the right to appeal by writing to the Chairman of the Staffing Committee within 10 working days of receiving written notification of the disciplinary sanction. The letter should state the grounds upon which the appeal is being lodged. The Appeal will be heard by the Council's Appeal Committee which will consist of three Councillors with no direct involvement in the disciplinary case in question; the Chairman of the Appeal Panel will normally be the Mayor, or another Councillor who has not been involved in the case. If the appeal is against dismissal the dismissal decision will stand unless or until the Appeal Committee decides otherwise. The decision of the Appeal Committee will be notified to the employee in writing and will be final and binding.

11.4 At all stages of the disciplinary procedure the employee will:-

11.4.1 Be given the opportunity to reply to all and any allegations made against him/her before any decision or disciplinary action is taken.

11.4.2 Have the opportunity to be accompanied by a work colleague or Trade Union representative.

11.4.3 Have the most appropriate level of management hear any disciplinary matter or appeal. Where the manager in question was directly involved in the issues in dispute or under review, an alternative person with appropriate seniority will deal with the matter.

11.5 Disciplinary action may take one of the following forms:-

11.5.1 **Verbal Warning** recorded within the personnel file.

11.5.2 **Written Warning** one copy of which will be retained by the employee and one enclosed within their personnel file.

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11.5.3 **Final Written Warning** advising the employee that a further offence or continued shortcoming will render him/her liable to dismissal. One copy of this will be retained by the employee and one enclosed within their personnel file.

11.5.4 **Dismissal** with or without notice.

11.5.5. If appropriate the Council might give consideration to enforcing some other disciplinary sanction such as suspension without pay, demotion, transfer to some other place or type of work or loss of privileges.

11.5.6. All warnings lapse following the expiry of the period specified by the disciplining or appeal officer at the time of issuing the warning. If no period is specified the default period is 12 months.

11.5.7 The following acts are examples of Gross Misconduct and as such may render employees liable to Summary Dismissal (i.e. dismissal without notice). This list is not exhaustive:

11.7.1. Theft;

11.7.2 Falsification of reports, accounts, expense claims, time recording, self certification forms or any other Council document;

11.7.3 Refusal to carry out duties or reasonable instructions;

11.7.4 Serious insubordination or the use of aggressive behaviour or excessive bad language on the Council's or client's or customer's premises;

11.7.5 Serious incapability or the potential for serious incapability whilst on duty brought on by alcohol or illegal drugs;

11.7.6 Serious negligence which causes or might cause unacceptable loss, damage or injury;

11.7.7 Serious breach or repeated breaches after warning or any material persistent breach of the contract of employment or the Council's rules;

11.7.8 Unauthorised possession or disposal of or wilful damage to the Council's property or that of clients, customers or other employees;

11.7.9 Any serious breach of the Council's Health and Safety, Harassment, Data Protection or Email/Internet Policies;

11.7.10. Fighting, physical assault, dangerous horseplay, actual or threatened violence including bullying;

11.7.11. Abuse of confidential information or its release to unauthorised persons or any breach of the duty of confidentiality save for any disclosure or whistleblowing under the Public Interest Disclosure Act 1998;

11.7.12. Loss of driving licence when required to use a vehicle as an essential part of working duties;

11.7.13 Any action or omission by an employee which would bring the Council into serious disrepute, whether during or outside of normal working hours;

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11.7.14 Discrimination (including harassment) on grounds of sex, sexual orientation, race, religious or similar philosophical belief, disability, age or any other act which fundamentally breaches the dignity of people at work; and

11.7.15 Any other matter which in the reasonable opinion of the Council constitutes gross misconduct.

12. GRIEVANCE POLICY

1 Policy Statement

- 1.1. Wells City Council recognises that individual employees or groups of employees may, from time to time, feel aggrieved about an aspect of their employment and accepts that each employee has the right to raise this grievance and to expect that management will consider it and respond.
- 1.2. The purpose of this procedure is to provide a framework for dealing promptly and fairly with such grievances.
- 1.3. Matters appropriately dealt with under the Council's grievance procedure include all questions relating to the individual rights of employees in respect of their employment other than:
 - Grievances that have already been considered in accordance with the procedure;
 - Grievances arising from a disciplinary or capability process in which the employee is already involved and where there is an appeals procedure in place;
 - Grievances in respect of issues over which the Council has no control. e.g. external legislation; and
 - Grievances that are already the subject of a collective grievance or dispute.
- 1.4. The timescales shown in the procedure may be altered by mutual agreement.
- 1.5. The nature and number of grievances raised in accordance with the procedure will be monitored annually.
- 1.6. This policy and the procedure will be the subject of periodic review.

2 Procedural Guidelines

2.1 Informal Resolution

2.1.1. Where an employee is aggrieved about any matter relating to their employment, they should raise the matter informally with the Town Clerk as soon as possible and, other than in exceptional circumstances, within **twenty working days** of the incident or event. However, employees will be permitted to raise as part of a grievance a series of directly related incidents having a cumulative effect.

2.1.2. The Town Clerk should consider and seek to resolve the grievance within ten working days. Whether or not this proves possible, the Town Clerk should in every case inform the employee of the decision and, if appropriate, any action taken.

2.1.3. Employees may wish to seek the advice of a trade union representative or colleague prior to raising a grievance at this informal level.

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2.2 Formal Resolution

2.2.1. If the employee is not satisfied with the result of the informal process, they can take the matter up with the Town Clerk, in writing, stating the nature of the grievance. This should be done within **ten working days** of conclusion of the informal process.

- i. The Town Clerk will arrange a meeting with the employee to discuss the grievance as soon as possible and normally within **ten working days** of receipt of the letter of grievance.
- ii. If the Town Clerk hearing the grievance determines that further investigation is required – having listened to the employee’s submission – the meeting will be adjourned for a period during which time the Town Clerk or an appropriate investigator will conduct any necessary research; including, if appropriate, liaising with other parties. The investigation will be concluded as soon as reasonably practicable.
- iii. If appropriate the Town Clerk will arrange a subsequent grievance hearing.

2.2.2. If it is determined by the Town Clerk that their contributions would facilitate consideration of the grievance other parties may be asked to make themselves available, in order that they may respond to any matters raised by the aggrieved individual during the course of the hearing.

2.2.3. A formal written response to the grievance should be issued within 5 working days of either the initial or subsequent grievance hearing as appropriate.

2.3 Appeal

2.3.1. If the employee is still aggrieved, there is a right of appeal to a panel of members of the Staffing Committee.

2.3.2. The notice of appeal should be submitted in writing within **ten working days** of receipt of the formal written response issued by the Town Clerk.

2.3.3. The Appeal Panel shall consider the appeal within **twenty working days** of receipt of the written appeal.

2.3.4. There is no further right of appeal.

2.4 Grievances Relating to the Town Clerk

If the grievance relates directly to the action or omission of the Town Clerk, the grievance should be submitted in writing directly to the Chair of the Staffing Committee who will investigate and respond to the grievance as outlined above.

2.5 Representation

An individual raising a formal grievance may be accompanied throughout the process by a trade union representative or colleague of their choice and reasonable preparation for the hearing will be allowed.

13. HARASSMENT & BULLYING POLICY

Harassment pollutes the working environment and can have a devastating effect on the health, confidence, morale and performance of those affected by it. It may also have a damaging

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effect on other employees not themselves the object of unwanted behaviour who are witness to it or who have knowledge of the behaviour. All employees are entitled to a working environment which respects their personal dignity and which is free from such objectionable conduct. Harassment is a disciplinary offence and it will normally be treated as gross misconduct.

13.1 Harassment is either:

13.1.1. Unwanted conduct (whether verbal or not) which is of a sexual or racial nature, or other conduct based on someone's race or gender or marital status or disability or sexual orientation or religious or other philosophical belief or age which affects the dignity of men or women at work; or

13.1.2. Bullying of colleagues by intimidatory behaviour; or

13.1.3. Unfavourable conduct at work, whether verbal or non-verbal, towards someone based on his/her race or gender or marital status or disability or sexual orientation or religious or other philosophical belief or age which could affect his/her dignity at work.

13.2. A single incident can amount to harassment if sufficiently grave.

Examples of harassment include:

13.2.1 Insensitive jokes and pranks.

13.2.2 Lewd comments about appearance.

13.2.3 Unnecessary body contact.

13.2.4 Displays of sexually offensive material, e.g. Pin-ups.

13.2.5 Repeated instances of minor harassment acts.

13.2.6 Requests for sexual favours.

13.2.7 Speculation about a person's private life and or sexual activities.

13.2.8 Threatened or actual violence.

13.2.9 Threat of dismissal, loss of promotion, etc. for refusal of sexual favours.

13.2.10 Jokes about a person being either too old or too young to do a job properly.

13.2.11 Age related jokes.

13.3. Bullying is defined as any form of physical or verbal attack and/or threat of such, or the abuse of position, in order to attack or undermine the confidence or ability of another, or to place another employee under unreasonable pressure or subjecting another to detrimental treatment, by either act or omission.

13.4 Anyone who believes that he or she may have been the victim of harassment should raise the matter through the Council's grievance procedure.

14. DIGNITY AT WORK POLICY

14.1 The Council aims to ensure that all its employees have dignity at work. That means that there are some types of behaviour that are unacceptable which will include the following:

14.1.1 being offensive, abusive, malicious, insulting or intimidating to a fellow employee; or

14.1.2 engaging in unjustifiable criticism towards a fellow employee; or

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- 14.1.3 imposing a punishment upon a fellow employee without reasonable justification; or
- 14.1.4 changing an employee's duties or responsibilities to his or her detriment without reasonable justification.
- 14.2 This policy applies to all employees, regardless of their rank or seniority. Breach of this policy will be treated as misconduct.
- 14.3 If an employee feels that his/her dignity at work has been compromised s/he should raise the matter through the Council's grievance procedure.

15. STRESS POLICY

- 15.1 Life and work have become much busier in recent times. There seems to be too much to do and too little time to do it in. As a consequence, more employees are experiencing stress at work.
Stress at work can come about for a variety of reasons. It may be excessive workload, unreasonable expectations, or overly-demanding work colleagues. As a reasonable Council, we try to ensure that staff are in a pleasant working environment and are as free from stress as possible.
- 15.2 If staff experience unreasonable stress which they think may be caused by work they should raise their concerns through the Council's grievance procedure.
- 15.3 Managers, when performing risk assessments on the activities of their department, will pay special attention to potential risks from stress and signs of stress at work will be noted.
- 15.4 The Council (if deemed appropriate) will offer an employee assistance scheme which will offer confidential and individual counselling to employees who may need it. Any employee with clear stress-related problems shall receive (if requested) appropriate counselling and help from the Council (employee) assistance scheme but it is understood that this is not an alternative to looking at the cause of the stress and, if work-related, seeking to alter the structure and working arrangements of the job.
- 15.5 Following action to reduce the risks, they shall be reassessed. If the risks remain unsustainable by the employee concerned, efforts shall be made to reassign that person to other work for which the risks are assessed as tolerable.

Other Council Policies and Procedural Documents

Please see the website or ask in the City Council office for information about the following documents:

- Standing Orders
- Financial Regulations
- Civic Review
- Procedure for Handling Complaints against the Council
- Press and Media Policy
- Pay Protection Policy

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- Overtime Policy
- Discretionary Pension Policies