

AGENDA Staffing Committee 20th May 2024- FIN	2
Sexual harassment in the workplace	5
AGENDA ITEM 10a - CURRENT - Dignity at Work, Bullying and Harassment policy October 2021	8
Microsoft Word - Dignity-at-Work-Policy	13
Microsoft Word - Car Usage Policy 1-Approved by Full Council 18th October 2021	25
AGENDA ITEM 10c - CURRENT - Grievance Procedure - Approved by Full Council 18th October 2021.	26
Microsoft Word - Grievance-Policy	30
Microsoft Word - First Aid Policy- Approved by Full Council 18th October 2021.	35
Microsoft Word - Pension Policy	37
AGENDA ITEM 10f - CURRENT Social Media Policy Adopted at Full Council 25th March 2024	40
AGENDA ITEM 10f - NALC new Social-Media-Policy-Guidelines - Aug 2024	45
Microsoft Word - Lone-working-Policy	47
Microsoft Word - Home_and_Hybrid_Working_Policy- Approved by Full Council 18th October 2021.	54
AGENDA ITEM 10I - CURRENT Safeguarding policy- Approved by Full Council 25th March 2024	60



MELKSHAM WITHOUT PARISH COUNCIL

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Tuesday 4th March 2025

To all members of the Council **Staffing Committee**: Councillors: Alan Baines (Chair of Committee), John Glover (Chair of Council), David Pafford (Vice-Chair of Council), Robert Shea-Simonds (Vice-Chair of Committee), Shona Holt and Anne Sullivan

You are summoned to attend the Staffing Committee Meeting which will be held on **Monday 10th March 2025 at 7.00pm at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES** to consider the agenda below.

TO ACCESS THE MEETING REMOTELY, PLEASE FOLLOW THE ZOOM LINK BELOW. THE LINK WILL ALSO BE POSTED ON THE PARISH COUNCIL WEBSITE WHEN IT GOES LIVE SHORTLY BEFORE 7PM.

Click link here:

<https://us02web.zoom.us/j/2791815985?pwd=Y2x5T25DRlVWVU54UW1YWWE4NkNrZz09&omn=87356447482>

Or go to www.zoom.us or Phone 0131 4601196 and enter: **Meeting ID: 279 181 5985**
Passcode: 070920. Instructions on how to access Zoom are on the parish council website www.melkshamwithout.co.uk. If you have difficulties accessing the meeting please call (do not text) the out of hours mobile: 07341 474234

To access the agenda online please scan the below QR code.

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Yours sincerely

Teresa Strange, Clerk



Serving rural communities around Melksham

AGENDA

1. **Welcome, Announcements and Housekeeping**
2. **To receive Apologies and approval of reasons given**
3. To receive **Declarations of Interest**
4. **To consider holding items in Closed Session to confidential nature** Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business **(Agenda items 7a,b,c & d)** as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted
5. **Public Participation**
6. **Health and Safety:** To note any Health and Safety matters occurring since the last meeting (standing item as per the health and safety policy).
7. **Recruitment:**
 - a) To approve appointment of the Parish Officer following the recommendation of the Interview Panel
 - b) To agree the new Parish Officer start date of Tuesday 22nd April
 - c) To agree Parish Officer draft contract, based on parish council model version
 - d) To agree salary scale point for new Parish Officer
8. **Appraisals:** To receive update on current situation and agree way forward
9. To review latest NALC advice note on **Sexual Harassment in the Workplace** following new positive duty for employers (councils) to prevent sexual harassment in the workplace
10. **To review the following Policies:**
 - a) Dignity at Work, Bullying and Harassment Policy
 - b) Car Usage Policy
 - c) Grievance Policy
 - d) First Aid Policy
 - e) Pension Policy

- f) Social Media Policy
- g) Lone Working
- h) Home & Hybrid Working Policy
- i) Safeguarding Policy

Copy to: All Councillors



Advice notes 11 Oct 2024

SEXUAL HARASSMENT IN THE WORKPLACE

This advice note was last updated on 11 October 2024 and was issued by our employment law, HR and health & safety services partner WorkNest.

As you may be aware, the new positive duty for councils (employers) to prevent sexual harassment in the workplace comes into effect on 26 October 2024.

We recommend that all parish and town councils review their current policies and arrangements and take steps to ensure compliance before then.

Helpfully, the Equality and Human Rights Commission has provided updated and detailed **technical guidance**.

Summary

- Harassment relates to a protected characteristic.
- Unwanted conduct covers a range of behaviours, from spoken words and banter to physical gestures or behaviour.
- Any inappropriate conduct is considered on how the worker perceives it and whether it was reasonable to have that perception; intent is not a core consideration.
- The act covers all employees and workers in employment. This will include job applicants and potentially agency workers.
- Parish and town councils must take steps to prevent it, including anticipating where it could occur and implementing steps to prevent it.
- The European Convention on Human Rights believes that employers are unlikely to be compliant unless a risk assessment has been conducted. Following a risk assessment, an action plan should be created (and implemented).
- Parish and town councils should include taking reasonable steps to prevent harassment from third parties.
- Other steps would likely include reviewing your policies and providing training.

Training

Where training is provided, the parish or town council should consider including:

- A clear understanding of what harassment is.
- A clear statement of required workplace behaviour, including behaviour at work-related social events and in online communications.

- An understanding of what is appropriate and what isn't in grey areas such as banter.
- Knowing what to do if they experience harassment.
- Knowing what to do if they witness harassment.
- Knowing what to do if harassment is reported to them.
- Knowing what the parish or town council will do if they are found to have committed an act of harassment

We recommend that all parish and town councils comply before the new duty occurs. As should be clear from above, this is about taking positive steps to prevent sexual harassment from occurring in the workplace in the first place.

RELATED TOPICS

Employment

← [Return to listing](#)

YOU MAY ALSO BE INTERESTED IN



 03 Dec 2024

**MUMSNET URGES PARISH
AND TOWN COUNCILS TO
FOLLOW NALC IN**



 06 Nov 2024

**NALC IS CONCERNED ABOUT
COSTS TO PARISH AND TOWN
COUNCILS FROM INCREASED**



MELKSHAM WITHOUT PARISH COUNCIL

DIGNITY AT WORK/BULLYING AND HARASSMENT POLICY

1. Purpose and Scope:

- 1.1 Statement In support of our value to respect others, Melksham Without Parish Council will not tolerate bullying or harassment by, or of, any of their employees, officials, Members, contractors, visitors to the Council or members of the public from the community which we serve. The Council is committed to the elimination of any form of intimidation in the workplace. This policy reflects the spirit in which the Council intends to undertake all of its business and outlines the specific procedures available to all employees in order to protect them from bullying and harassment. It should be read in conjunction with the Council's Grievance Procedure and Disciplinary Procedure and the Elected Members Code of Conduct.

1.2 Definitions:

Bullying: Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress.

Harassment: Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This policy covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age. These definitions are derived from the ACAS guidance on the topic. Both bullying and harassment are behaviours that are unwanted by the recipient. They are generally evidenced by a pattern of conduct, rather than being related to one-off incidents. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others, high staff turnover, damage to the Council's reputation and, ultimately, legal proceedings against the Council and payment of legal fees and potentially unlimited compensation.

1.3 Examples:

Examples of unacceptable behaviour are as follows:

- spreading malicious rumours
- insulting someone
- ridiculing or demeaning someone
- exclusion or victimization
- unfair treatment
- overbearing supervision or other misuse of position or power
- unwelcome sexual advances
- making threats about job security
- making threats of physical violence against a person or their family
- deliberately undermining a competent worker by overloading work and/or constant criticism
- blaming a person for others' mistakes
- preventing an individual's promotion or training opportunities

Bullying and harassment may occur face to face, in meetings, through written communications including electronic communication such as e-mail or on social media, by telephone or through automatic supervision methods. It may occur on or off work premises, during work hours or in non-work time.

1.4 **Penalties:**

Bullying and harassment by any employed persons can be considered examples of gross misconduct which will be dealt with through the Disciplinary Procedure at gross misconduct level and may result in summary dismissal from the Council. If elected Members are bullying or harassing employees, contractors, fellow councillors or others, then a referral through the Standards process in place at the time reported as a contravention of the Member's Code of Conduct could be an appropriate measure. If an employee is experiencing bullying or harassment from a third party the Council will act reasonably in upholding its duty of care towards its own employees. In extreme cases harassment can constitute a criminal offence and the Council should take appropriate legal advice, often available from the Council's insurer, if such a matter arises.

1.5 **The Legal Position:**

Councils have a duty of care towards all their workers and liability under common law arising out of the Employment Rights Act 1996 and the Health and Safety at Work Act 1974. If an employer fails to act reasonably with regard to this duty of care by allowing bullying or harassment to continue unchallenged, an employee may decide to resign and claim 'constructive dismissal' at an Employment Tribunal. Under the Equality Act 2010 bullying or harassment related to one of the protected characteristics covered by the Act (age, gender, marital status, sexual orientation, race, religion, belief, colour, disability) can be considered unlawful discrimination which could lead to an Employment Tribunal claim for discrimination against the corporate employer, the Council and the perpetrator(s) as individual named Respondents. In addition, the Criminal Justice and Public Order Act 1994 and Protection from Harassment Act 1997 created a criminal offence of harassment with a fine and/or prison sentence as a penalty and a right to damages for the victim. A harasser may be personally liable to pay damages if a victim complains to an

Employment Tribunal on the grounds of discrimination. The 1997 Act was originally designed to assist in stalking situations but case law has demonstrated that it can be relevant to employment disputes; for instance, employers can be vicariously liable for harassment received in the workplace, that the conduct is viewed as 'serious', or 'oppressive and unacceptable', that a 'course of conduct' needs to be established but that this can link incidents which are separated by long time periods and that damages for personal injury and distress can be awarded under the Act.

2. Process for Dealing with Complaints of Bullying and Harassment:

2.1 Informal approach:

Anyone – employee, contractor, Member or visitor – who feels he or she is being bullied or harassed should try to resolve the problem informally in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour, or any intermediary, that their conduct is unacceptable, offensive or causing discomfort. Anyone concerned about being bullied or harassed is encouraged to maintain a journal or other record of the incidents.

2.2 Formal approach:

Employees: Where the employee feels unable to resolve the matter informally, any complaint about harassment or bullying can be raised confidentially and informally, initially with the Clerk or another councillor if more appropriate. It may be appropriate for the complaint to be put in writing after the initial discussion, as this will enable the formal Grievance Procedure to be invoked. The employee will be expected to provide evidence of the conduct about which s/he is complaining.

Others: Any other party to the Council, other than an employee, who feels he or she is being bullied or harassed, should raise their complaint with the Council, where possible, if an informal notification to a Member has been unsuccessful at eliminating the problem. The complaint should then be investigated and a hearing held to discuss the facts and recommend the way forward. A member of the public who feels s/he has been bullied or harassed by any Members or officers of the Council should use the Council's official Complaints Procedure. It is important that the Member(s) being complained about do not prevent the Council operating impartially in its investigation and decision making in this regard.

2.3 Grievance:

Employees only: A meeting to discuss the complaint with the complainant will normally be arranged within five working days of a written complaint being received and will be held under the provisions of the Council's Grievance Procedure (Section 15 below). This meeting will be to discuss the issues raised and a way forward for the member(s) of staff involved. Employees have a right to be accompanied by a work colleague or a trade union representative at this meeting. A full investigation of the complaint will be held by an officer as appointed by the committee of the Council which is handling the process. It may be appropriate for an external investigator to be involved in order to maintain objectivity and impartiality. The Hearing Panel will publish its

recommendations following deliberation of the facts. An action plan should be made available to the aggrieved employee to demonstrate how the problem is to be resolved. It may be decided that mediation or some other intervention is required and the Council should contact NALC, an employer's body or ACAS to this effect or the Council may offer counselling. The employee will have a right of appeal. At all times the confidentiality of the grievance will be of paramount importance in order to maintain trust in the process, hence details of the full grievance will not be shared with the full Council without prior approval by the aggrieved. The Council will commit not to victimise the complainant for raising the complaint once the appropriate dispute resolution process has been concluded.

2.4 Disciplinary action:

Following a grievance hearing or investigation into allegations of bullying or harassment a full report will be made to all parties and this may result in disciplinary action being taken against the perpetrator of the alleged action/behaviour.

Employees: For an employee found to have been bullying/harassing others this will follow the Council's Disciplinary Procedure under the ACAS Code of Practice on Dispute Resolution and would normally be treated as gross misconduct.

Members: For Members who the Council reasonably believe have been bullying or harassing another person(s) whilst undertaking Council activities, the range of sanctions available to the Council are limited and must be reasonable, proportionate and not intended to be punitive. In some cases counselling or training in appropriate skill areas – e.g. interpersonal communication, assertiveness, chairmanship, etc. – may be more appropriate than a penalty. Sanctions may include:

- admonishment
- issuing an apology or giving an undertaking not to repeat the behaviour
- removal of opportunities to further harass/bully such as removal from a committee(s) where direct contact with the employee or decision-making about that employee will take place
- removing the right to representation on any outside bodies where there will be contact with the employee who has raised the complaint

A referral under the Code of Conduct to the relevant reviewing body is usually an appropriate step and there may be further disciplinary sanctions available as a result of the Standards Committee reviewing the evidence under the Code in place at the time. A referral to the police under the Protection from Harassment Act 1997 may also be appropriate in the most extreme cases.

2.5 False allegations:

False or malicious allegations of harassment or bullying which damage the reputation of a fellow employee/Member will not be tolerated and will be dealt with as serious misconduct under the Disciplinary Procedure and/or referral to the Standards process.

3. Responsibilities:

All parties to the Council have a responsibility to ensure that their conduct towards others does not harass or bully or in any way demean the dignity of others. If unacceptable behaviour is observed then each individual can challenge the perpetrator and ask them to stop. There needs to be an agreement about how 'robust people management' and 'bullying' differ: effective management of performance will usually include feedback based on objective evidence, delivered by a committee specifically designated and often trained to manage and appraise staff, with dialogue occurring on a face-to-face basis in confidential surroundings. Bullying is more likely to be complained about when individual Members criticise staff, often without objective evidence, without the mandate from the corporate body of the Council and in environments which are open to the public or other employees or by way of blogs, social media comments, or in the pub or local playground. The Council undertakes to share its policy with all Members and workers, and requests that each party signs to demonstrate acceptance of its terms. All new Members and employees will be provided with a copy of this policy. A review of the policy shall be undertaken each year and necessary amendments will be undertaken by the Clerk and reported to the full Council for approval. The Council will undertake to ensure that its Members and workers are trained in the processes required by this policy as deemed appropriate.

4. Useful Contacts:

ACAS www.acas.org.uk - tel: 0845 7 47 47 47

Local Government Ombudsman for England www.lgo.org.uk - tel: 0300 061 0614

Equality and Human Rights Commission www.equalityhumanrights.com

SLCC www.slcc.co.uk

DirectGov website: www.GOV.uk

Recommended for approval by the Staffing Committee 4th October 2021. Approved by Full Council 18th October 2021

DIGNITY AT WORK POLICY

[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

[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

[Optional – for Councils who have committed to the pledge] In support of this objective, **[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/chief officers** and all employees engaged to work at **[Council]**. Should agency staff, or contractors have a complaint connected to their engagement with **[Council]** this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the **deputy chair / council's personnel / staffing 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

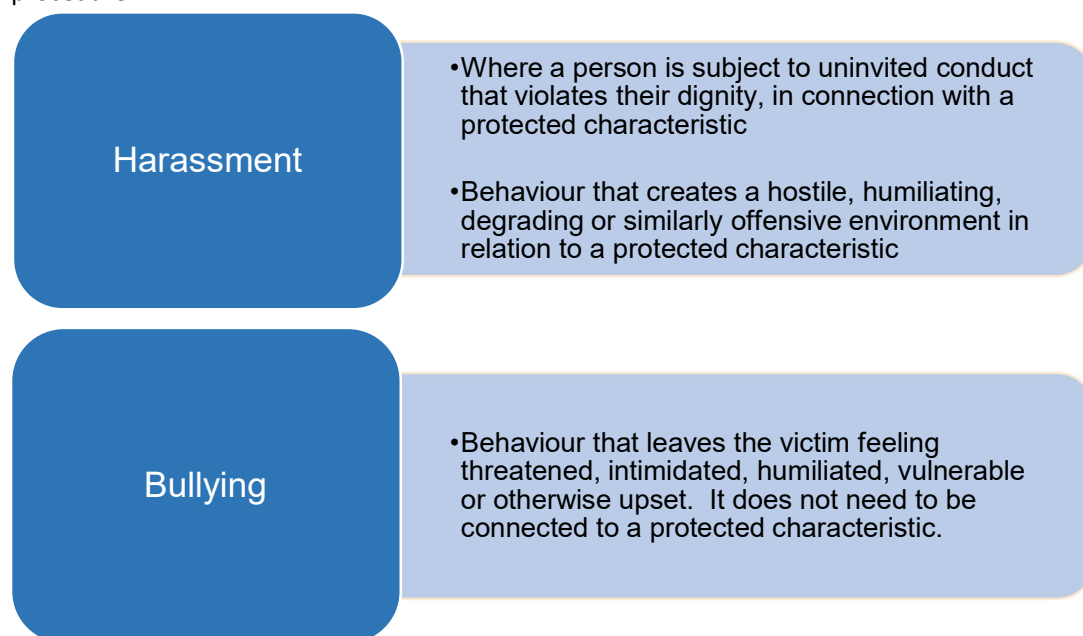
All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. [Council] will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off 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 equality and diversity 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 nominated manager in the first instance or, with the clerk/or a councillor. 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/chief officer or the chair of the council 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/chief officer or a councillor. 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/chief officer, your nominated 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 nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate 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 chair (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/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk/chief officer or the chair of the council 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.

GUIDANCE FOR USING THE DIGNITY AT WORK POLICY

This is an example of an employment policy designed for a council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This guidance is provided to support understanding of the policy, and its application, as well as where local adaptations may be required. The guidance is not part of the policy and should be removed from the policy adopted and shared with council employees.

The Dignity at Work Policy will replace a previous 'Bullying and Harassment' Policy, to create a policy that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the NALC, SLCC and OVW Civility and Respect Pledge. Council's that have not signed up to this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times. If your council has not agreed to the pledge this wording should be removed.

The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging, collaborative and inclusive. A council may want to update references where relevant to reflect local terminology and structure, however should be considerate of equality, diversity and inclusion.

The examples of bullying and harassment are just that – examples. This should not be considered an exhaustive list.

Notes:

Protected Characteristics

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their **age**, or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.
- **Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.
- Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- **Gender** harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals dress or appearance.
- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.
- Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work-related benefits.

A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed, or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal

Legal risks

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

Culture and behaviour

We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community.

It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer.

Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

Scope

All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council.

Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation. To treat people (such as contractors, or a casual worker) engaged

by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

Managers

Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee.

Bullying and harassment & performance management

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.

Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

Responsibilities

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

During the investigation

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

Confidentiality

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how to deal with the matter may be required.

Victimisation

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

False allegations

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

Complaints against Councillors

Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council

agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council's grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.



MELKSHAM WITHOUT PARISH COUNCIL

CAR USAGE POLICY

A private vehicle used for Council business should be fit for the purpose it is being used for (eg towing or delivering items) and may be subject to spot checks to ensure it is road worthy

Vehicles must be adequately insured for personal business use.

It is an offence to use a hand held mobile phone whilst driving and employees are advised not to do so unless a hands free facility is installed.

Employees are required to sign the confirmation below in relation to their driving license, insurance, MOT and road vehicle license tax on an annual basis and ensure that these are kept in place at all times.

Employees deemed 'essential car users' (eg Parish Caretaker) are entitled to a travel allowance *which is paid in monthly instalments at the appropriate pro rata rate as set out in the NJC (National Joint Council for Local Government Services) pay arrangements.*

Mileage undertaken on behalf of the Council will be reimbursed at a rate of 45p/mile (reviewed annually) for all essential and casual car users.

Name: _____

Date: _____

I have read the Car Usage Policy (above) and can confirm that the following requirements are in place and will be kept up to date at all times:

1. Current Driving License
2. Appropriate level of car insurance in place to undertake tasks on behalf of the council
3. Valid MOT certificate
4. Road Vehicle License Tax

Signed: _____

***Recommended by Staffing & Resources Committee on Monday 4th October 2021.
Approved by Full Council 18th October 2021***



MELKSHAM WITHOUT PARISH COUNCIL

GRIEVANCE PROCEDURE

1. Purpose and Scope:

- 1.1 It is the policy of the Council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the Council. This section describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is produced in line with the ACAS Code of Practice 2009 as set out in the Employment Act 2008.

2. Principles

- 2.1 (a) At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
(b) Grievances will be dealt with promptly and consistently.
(c) At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative during the grievance hearing.
(d) An employee will have the right to appeal against any outcome of a grievance hearing.
(e) At no time will an employee be penalised or victimised for having raised a grievance against the Council.

3. Procedures

- 3.1 **Raising a Grievance:** Wherever possible, any grievance should be raised informally with the employee's line manager (the Clerk). In the case of the Clerk to the Council raising a grievance this should be directed to the Chairman of the Council unless the complaint is about the Chairman in which case another Member can be identified to handle the Clerk's concerns. The recipient of the grievance from the Clerk should share the grievance with the Staffing & Resources committee and the issues should be treated with discretion and confidentiality at all times.
- 3.2 **Written Statement:** If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to the Clerk, or in the case of the Clerk to the Chairman.
- 3.3 **Meeting or Hearing:**
Generally, within a reasonable period of time, e.g. five working days of receipt of a written complaint, the Clerk or Chair of the Staffing & Resources Committee

will arrange a meeting with the employee. The Hearing Manager (Clerk, Chair of Staffing Committee or Chairman of the Council) will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions. The manager will investigate the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as s/he shall consider appropriate and take such steps as s/he shall consider necessary to resolve the issue raised. It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance. The employee may call witnesses by prior arrangement with the panel. There is no right for a Member or employee implicated in an employee's grievance to cross-examine the aggrieved during a grievance hearing but the panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately. The Panel may ask the employee what he or she would like to happen as a result of raising the grievance and bear this in mind when preparing the response.

3.4 Response:

The Hearing Manager will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem.

3.5 Appeal:

If the employee is dissatisfied with the decision of the Clerk on his/her complaint, s/he may appeal against the decision to the Chairman or other elected Member by written notice within five working days of receiving the decision. An appeal may be raised if:

- the employee thinks the finding, or action plan, is unfair
- new evidence has come to light
- the employee thinks that the procedure was not applied properly

On receipt of the appeal the Council's Appeals Panel shall arrange to meet and consult with the employee, the Clerk or Members concerned, and any other persons as s/he shall consider appropriate without unreasonable delay. The Appeal Hearing Chair shall consider the issues and shall then take all such steps as s/he may consider necessary to resolve those issues. Where the Council's Chairman has chaired the initial grievance meeting, the Vice-Chairman will hear the appeal as a hearing manager. The decision of the Appeal Hearing will be final. The Council will need to ensure that the Members involved in the hearings are able to act impartially and reasonably at all times. The outcome of the appeal should be conveyed to the employee in writing in a timely manner.

3.6 Bullying or Harassment:

If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the employee's line manager (the Clerk or Chairman in the case of the Clerk), or another Member if more appropriate, with an indication of the required action. The complaint will then be investigated and any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if

appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of harassment disciplinary action may be instigated against any alleged perpetrators of the action or, in the case of alleged perpetrators being elected Members, a Code of Conduct complaint should be lodged by the Council. Refer to the Dignity at Work/Bullying and Harassment Policy for further details.

3.7 Right to be Accompanied:

At any formal stage of the procedure an employee may be accompanied by a fellow employee of their choice or their trade union representative or official of a trade union (appropriately accredited), but as this is an internal procedure they will not be entitled to be accompanied by any external supporter, e.g. partner, parent, solicitor etc. This right to be accompanied is enshrined in the Employment Relations Act 1999. To exercise this right the employee should make a reasonable request. The companion will be allowed to address the hearing, put and sum up the employee's case, respond to views expressed at the hearing and to confer with the employee during the hearing (sometimes in adjournment), but is not allowed to answer questions on the employee's behalf, address the hearing if the employee does not wish it, or prevent the employer from explaining their case.

3.8 Confidentiality:

So far as is reasonably practicable, the Council will keep any grievance or complaint of harassment confidential between the Clerk or Member investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.

3.9 Record Keeping:

In all cases, written records of the nature of the grievance raised, the employer's response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the GDPR 2018 (General Data Protection Regulations) and Data Protection Act coming into force in May 2018

3.10 Grievances Raised During Disciplinaries:

In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the Council or individual Members. In such a case the Council will place disciplinary matters on hold until grievances have been aired and actions towards a resolution have been progressed. In exceptional circumstances it may be pragmatic to deal with the two disputes concurrently but the Council would seek specialist advice should this arise.

Reviewed by Staffing Committee 4th October 2021, recommended to Full Council for adoption with no changes.

Recommended for approval by the Staffing Committee 12th March 2018 (Min 492/17a)iii) and approved by Full Council 26th March 2018.

Recommended for approval at Staffing Committee 4th October 2021. Approved by Full Council 18th October 2021

[ENTER COUNCIL NAME] COUNCIL'S GRIEVANCE POLICY

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).
2. It also takes account of the ACAS guide on discipline and grievances at work. (https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf).
3. It also takes into account relevant law affecting Councils.
4. It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
5. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
6. This policy confirms:
 - employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for their grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.
 - the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
 - any changes to specified time limits must be agreed by the employee and the Council
 - an employee has the right to appeal against the decision about their grievance. The appeal decision is final
 - information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)

- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- if a grievance is not upheld, no disciplinary action will be taken against an employee if they raised the grievance in good faith
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties
- Employees can only use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor. Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of [[] council] who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure (see paragraph 5)
- the Council may engage external investigators, grievance or appeal panels for the purposes of the process.
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination
- If an employee considers that the grievance concerns their safety within the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with their line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime

Informal grievance procedure

7. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with their manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with their manager (for example, because it concerns the manager), the employee should contact the Chairman of the staffing committee or, if appropriate, another member of the staffing committee. If the employee's complaint is about a councillor, it may be

appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal grievance procedure

8. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the staffing committee.
9. The staffing committee will appoint a sub-committee of 3 members to hear the grievance in the event that the grievance is raised by or relates to the Clerk. Where the grievance is not raised by or relates to the Clerk, the staffing committee may appoint the Clerk to hear the Grievance. The sub-committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the sub-committee.

Investigation

10. If the sub-committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigator may be an appropriate employee, Councillor or external party. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillors or members of the public).
11. The investigator will summarise their findings (usually within an investigation report) and present their findings to the sub-committee.

Notification

12. Within 14 calendar days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:
 - the names of its Chairman and other members
 - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 35 calendar days of when the Council received the grievance
 - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
 - a copy of the Council's grievance policy
 - confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of their witnesses as soon as possible before the meeting
 - confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice
 - findings of the investigation if there has been an investigation
 - an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The grievance meeting

13. At the grievance meeting:

- the Chairman will introduce the members of the sub-committee to the employee
- the employee (or companion) will set out the grievance and present the evidence
- the Chairman will ask the employee questions about the information presented and will want to understand what action does they wants the Council to take
- any member of the sub-committee and the employee (or the companion) may question any witness
- the employee (or companion) will have the opportunity to sum up the case
- a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

14. The Chairman will provide the employee with the sub-committee's decision, in writing, usually within 7 calendar days of the meeting though may be longer e.g. where further investigations are required. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

15. If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the staffing committee. An appeal must be received by the Council within 7 calendar days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.

16. Appeals may be raised on a number of grounds, e.g.:

- a failure by the Council to follow its grievance policy
- the decision was not supported by the evidence
- the action proposed by the sub-committee was inadequate/inappropriate
- new evidence has come to light since the grievance meeting.

17. The appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include members of the staffing committee. The Council may engage external parties if there are insufficient councillors to form the panel. The appeal panel will appoint a Chairman from one of its members.

18. The employee will be notified, in writing, usually within 14 calendar days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 35 calendar days of the Council's receipt of the appeal. The employee will be advised that they may be accompanied by a workplace colleague, a trade union representative or a trade union official.

19. At the appeal meeting, the Chairman will:

- introduce the panel members to the employee

- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
 - explain the action that the appeal panel may take.
20. The employee (or companion) will be asked to explain the grounds of appeal.
 21. The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, and when they are likely to receive the letter. This may be within 14 calendar days of the appeal meeting however will be longer where further investigations are required.
 22. The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.
 23. The decision of the appeal panel is final.

Date of policy:

Approving committee:

Date of committee meeting:

Policy version reference:

Supersedes: [Name of old policy and reference]

Policy effective from:

Date for next review:



MELKSHAM WITHOUT PARISH COUNCIL

FIRST AID POLICY

OFFICE AND PUBLIC MEETINGS

Melksham Without Parish Council recognises that not only is it a legal requirement to have the correct first aid provision in the workplace, but it is important for the safety of its employees too.

The Parish Council employ five members of staff across a variety of locations and has thirteen councillors. It provides office, meeting, recreational and amenity facilities accessed by the public.

Two members of staff, the Clerk and Parish Officer, are both trained in “Emergency First Aid at Work” to ensure that, as per HSE (Health & Safety Executive) advice, this gives one additional First Aider to cover foreseeable absences such as annual leave. This training is retaken every three years, with an internal review every six months.

Either the Clerk or Parish Officer (and often both) will be in attendance at all formal Council meetings. When the office is open to the public, the Parish Council endeavours to have two members of staff manning the office, but on occasion this is not possible (also refer to the Council’s Working Alone policy) and there are also occasions when both the Clerk and Parish Officer are not in the office when other staff members are. To this end, the other office staff have a duty to make sure that they understand how to call for help if they feel ill and/or suffer a minor injury; and how to call the emergency services if they feel life saving measures could be required.

OUTDOOR ENVIRONMENTS

Both the Parish Caretaker and Allotment Warden work alone and remotely at the play areas, playing fields, Pavilion, public open spaces and allotments; and provide cover for each other during planned absences such as holiday. The Parish Council only has a responsibility as an employer to the Caretaker and Warden in terms of first aid whilst at these locations; it does not have a requirement to provide first aid support to users of these facilities; although they would obviously step in to assist if they found themselves in this situation.

They have a duty to keep a charged mobile ‘phone on them whilst working and to follow the procedures set out in the Council’s Working Alone policy in terms of letting other staff members know of their whereabouts and message the staff when they have finished their working day/session.

FIRST AID KITS

Personal first aid kits have been provided to the Parish Caretaker and Allotment Warden and they should be kept in the vehicle they have used to get to site OR on their person whilst they are working remotely for the Parish Council. An eye wash station has been provided in the Tool Shed at Briansfield Allotments.

A separate first aid kit is stored in a marked cupboard in the kitchen at the Pavilion at Bowerhill Sports Field.

When public meetings are held in locations away from the Parish Council Office ie: at hired venues, a first aid kit and torches for evacuation will always be taken. The Staff members in attendance at any such meeting will familiarise themselves with the building and the specific evacuation procedures for that venue, ensuring that emergency exit points are clear from moveable obstructions such as chairs. This will be explained by staff members prior to any meeting to the Chairman of that meeting who will then advise to those attending of the evacuation procedures at the commencement of the meeting. The First Aid Kit will be taken by the lead person evacuating the building so that it can be used to treat any minor scratches/cut and burns if experienced when evacuating the building.

All first aid kits are checked periodically to ensure that their contents remain within the expiry dates and to ensure that supplies are complete. All staff using items from any of the council's first aid kits have a duty to notify the Finance & Amenities Officer who will order to replenish the kit. Any first aid kit that is past its expiry date to be donated to suitable organisations so that it can be used for training purposes.

Reviewed by Staffing Committee 4th October 2021. Approved by Full Council 18th October 2021



MELKSHAM WITHOUT PARISH COUNCIL

PENSION POLICY

1. The Council offers membership of a pension scheme through the Wiltshire Pension Fund which is part of the Local Government Pension Scheme (LGPS). Employees who have a contracted hours position are eligible to join the scheme. Casual post staff will not be designated as being eligible. All new staff will be automatically enrolled into the scheme as from their official start date and will need to express their wish to opt out in writing if that is their choice. The limitations within the scheme are listed in the schedule below.
2. Employees should notify the Council of the name of their nominated next of kin. In the event of employees' death in service any salary or pension due to them will be paid to the person nominated.
3. LGPS Employer's Discretions Policy for LGPS 2014 Scheme Wiltshire Pension Fund

DISCRETION AND REGULATION	POLICY ON INDIVIDUAL DISCRETIONS
1). Reg 31: Whether to grant additional pension to a member (up to £6500pa)	Melksham Without Parish Council will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed permission of the Staffing & Resources Committee after consideration of the costs that would apply.
2). Reg 16(2)e and Reg 16(4)d: Whether to make either a regular or lump sum Additional Pension Contribution (APC) to a member's account (part or whole funding this). (Note: this discretion only relates to cases when the member is working as normal rather than absent from work with permission but no pensionable pay – in the latter scenario, employers must fund it if necessary.)	Melksham Without Parish Council will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed permission of the Staffing & Resources Committee after consideration of the costs that would apply.
3). Reg 30(6) Whether all or some pension benefits can be paid if a member aged 55 or over reduces their hours/grade and continues to work ("flexible retirement").	Melksham Without Parish Council will consider employee requests to take flexible retirement on a case by case basis after taking into account factors such as service delivery and any costs that may apply. The Staffing & Resources Committee will be responsible for agreeing (or otherwise) to all requests to take flexible retirement.
4). Reg 30(8) Waiving actuarial reduction on flexible retirement.	Melksham Without Parish Council will only waive the actuarial reduction on flexible retirement in exceptional circumstances following approval from the Staffing & Resources Committee.

5). Reg 30(8) Waiving actuarial reduction on early retirement (age 55+) for both active, deferred members and suspended tier 3 ill health pensions.	Melksham Without Parish Council will only waive the actuarial reduction on early retirement in exceptional circumstances and as the result of the expressed permission of the Staffing & Resources Committee after considering the costs that would apply.
6). TP Regs 1(1)(c) of Schedule 2: Whether to allow the rule of 85 to be “switched on” for members who would normally meet the rule but who will not if they draw the benefits age 55–59.	Melksham Without Parish Council will only agree to “switch on” the rule of 85 in exceptional circumstances following approval from the Staffing & Resources Committee after considering the costs that will apply.
7). Regs 22(8 & 9) Whether to extend 12-month period to separate previous LG service.	Melksham Without Parish Council will only allow an extension to the 12-month period to separate previous LG service where it can be reasonably shown that the member was not provided with the required information within 6 months of starting.
8). Reg 9(3) Determine rate of employees’ contributions.	Melksham Without Parish Council will review all employees’ contribution bands when there has been contractual change to a member’s salary or hours at some point during the year. A member’s contribution rate will not be reviewed as the result of one-off additional payments (such as honorariums)
9). Reg 100(6) Whether to extend 12- month period to allow a transfer-in of non-LG pension rights.	Melksham Without Parish Council will only allow an extension to the 12-month period to combine previous non-LG service where it can be shown that the member was not provided with the required information within 6 months of starting.
10). Reg 16(16) Whether to extend the 30-day deadline for member to elect for a shared cost APC (Note: this discretion only relates to cases when the member has a period of unpaid authorised leave and wants to pay an APC to recover the pension. For the cost to be shared by the employer and member the member’s election must be received by the employer within 30 days of returning to work.)	Melksham Without Parish Council will consider each request to extend the 30-day deadline on a case by case basis.

Abbreviations

LGPS	Local Government Pension Scheme
Reg 16(2)e	Regulation 16(2)e of the Local Government Pension Scheme Regulations 2013 (which apply from 1 April 2014)
TP Regs	LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014

Recommended for approval by Staffing & Resources Committee 4th October 2021, and re-adopted by Full Council 18th October 2021

Document Version Control	
Meeting and minutes where reviewed/ approved	Additions/ Amendments
Recommended by the Staffing & Resources Committee on Monday 26th June 2017 and adopted by the Full Council on 17th July 2017.	
Recommended for approval by Staffing & Resources Committee 4th October 2021, and re-adopted by Full Council 18th October 2021.	



MELKSHAM WITHOUT PARISH COUNCIL

SOCIAL MEDIA POLICY

1. Policy statement

- 1.1 This policy is intended to help employees including clerks, RFO's, Executive Officers, part-time, fixed-term and casual employees (collectively referred to as employees in this policy), volunteers and members make appropriate decisions about the use of social media such as blogs, social networking websites, forums, message boards, or comments on web-articles, such as Twitter, Facebook and LinkedIn.
- 1.2 This policy outlines the standards we require employees and volunteers to observe when using social media, the circumstances in which we will monitor your use of social media and the action we will take in respect of breaches of this policy.

2. The scope of the policy

- 2.1. All employees, volunteers and members are expected to comply with this policy at all times to protect the privacy, confidentiality, and interests of our council.
- 2.2. Breach of this policy by employees may be dealt with under our Disciplinary Procedures and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

3. Responsibility for implementation of the policy

- 3.1 The council has overall responsibility for the effective operation of this policy.
- 3.2 The clerk is responsible for monitoring and reviewing the operation of this policy and making recommendations for changes to minimise risks to our work.
- 3.3 All employees, volunteers and members should ensure that they take the time to read and understand it. Any breach of this policy should be reported

to the Clerk, (or in the case of the breach by the Clerk, to the Chairman of the Council).

- 3.4** Questions regarding the content or application of this policy should be directed to the Clerk.

4 Using social media sites in our name

- 4.1** Only the Clerk or staff as directed by the Clerk are to post material on a social media website in the council's name and on our behalf.

5 Using social media

- 5.1** We recognise the importance of the internet in shaping public thinking about our council and community. We also recognise the importance of our employees, volunteers and members joining in and helping shape local government conversation and direction through interaction in social media.

- 5.2** Before using social media on any matter which might affect the interests of the council you must:

- a) have read and understood this policy
- b) employees and volunteers must have sought and gained prior written approval to do so from the Clerk

6 Rules for use of social media

Whenever you are permitted to use social media in accordance with this policy, you must adhere to the following general rules:

- 6.1** Do not upload, post or forward a link to any abusive, obscene, discriminatory, harassing, derogatory or defamatory content.
- 6.2** Any employee, volunteer or member who feels that they have been harassed or bullied, or are offended by material posted or uploaded by a colleague onto a social media website should inform the Clerk, or Chairman of the Council as appropriate.
- 6.3** Never disclose commercially sensitive, personal private or confidential information. If you are unsure whether the information you wish to share falls within one of these categories, you should discuss this with the Clerk.
- 6.4** Do not upload, post or forward any content belonging to a third party unless you have that third party's consent.
- 6.5** Before you include a link to a third-party website, check that any terms and conditions of that website permit you to link to it.

- 6.6** When making use of any social media platform, you must read and comply with its terms of use.
- 6.7** Be honest and open, but be mindful of the impact your contribution might make to people's perceptions of the council.
- 6.8** You are personally responsible for content you publish into social media tools.
- 6.9** Don't escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations.
- 6.10** Don't discuss employees without their prior approval.
- 6.11** Always consider others' privacy and avoid discussing topics that may be inflammatory e.g. politics and religion.
- 6.12** Avoid publishing your contact details where they can be accessed and used widely by people you did not intend to see them, and never publish anyone else's contact details.

7 Monitoring use of social media websites

- 7.1** Employees should be aware that any use of social media websites (whether or not accessed for council purposes) may be monitored and, where breaches of this policy are found, action may be taken against employees under our Disciplinary Procedures.
- 7.2** Misuse of social media websites can, in certain circumstances, constitute a criminal offence or otherwise give rise to legal liability against you and us.
- 7.3** In particular a serious case of uploading, posting forwarding or posting a link to any of the following types of material on a social media website, whether in a professional or personal capacity, will probably amount to gross misconduct (this list is not exhaustive):
 - a) pornographic material (that is, writing, pictures, films and video clips of a sexually explicit or arousing nature);
 - b) a false and defamatory statement about any person or organisation;
 - c) material which is offensive, obscene
 - d) criminal, discriminatory, derogatory or may cause embarrassment to the council, members, or our employees;
 - e) confidential information about the council or anyone else
 - f) any other statement which is likely to create any liability (whether criminal or civil, and whether for you or the council); or
 - g) material in breach of copyright or other intellectual property rights, or which invades the privacy of any person.

Any such action will be addressed under the Council's Disciplinary Procedures/Code of Conduct and for employees may result in summary dismissal.

7.4 Where evidence of misuse is found we may undertake a more detailed investigation in accordance with our Disciplinary Procedures, involving the examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses or managers involved in the investigation. If necessary such information may be handed to the police in connection with a criminal investigation.

7.5 If you notice any use of social media by other employees or volunteers in breach of this policy please report it to the Clerk.

8 Monitoring and review of this policy

8.1 The Staffing & Resources Committee shall be responsible for reviewing this policy annually to ensure that it meets legal requirements and reflects best practice.

Date	Changes made
Adopted by Melksham Without Parish Council Min. 091/16 at Staffing & Resources Committee held 27th June 2016, approved by Full Council meeting Min 111/16 25th July 2016.	
Recommended for Re-adoption by the Staffing Committee on 16 March 2020 (Min 489c/19)	
Adopted at the Annual Council Meeting 22 May 2023 (Min 10(C))	
Recommended for re-adoption at Staffing Committee 18 th March 2024 (min.456/23). Adopted at Full Council 25 th March 2024	No changes made

**Recommended for re-adoption at Staffing Committee 18th March 2024 (min.456/23).
Adopted at Full Council 25th March 2024**

Based on SLCC Template April 2016.

[ENTER COUNCIL NAME] SOCIAL MEDIA POLICY GUIDELINES

Because councils will have different rules and expectations about the use of social media at work, policies should reflect the context in which staff are expected to work. These guidelines are designed to help councils consider the range of factors that may be relevant when drafting such a policy.

When drafting your Social Media Policy, use the following questions/points to guide the areas to cover:

- Who will the policy apply to?
- Define what you mean by social media and give examples of what you would include.
- When does the social media policy apply? In work hours and out of work hours? On personal equipment and equipment owned by the council?
- How does each social media platform relate to the work environment? For example, does the council encourage all staff to Tweet as a way to raise awareness, but has a different policy to Facebook?
- Many staff will have a personal social media profile and this will rarely impact on their work-life. However, in drafting your policy you should consider setting expectations about how the council is portrayed and whether you allow the council to be associated with staff through their personal social media platforms.
- Personal use of social media – is this permitted during working hours? Is this permitted on council equipment? When should personal devices be used? What restrictions do you want to consider?
- Do the employees' duties require them to speak on behalf of the council on social media? If yes, should any approvals be sought? Is any training required? What should employees do if they are contacted by the press or social media outlet for comment?
- Do you have specific 'dos' and 'don'ts' for your employees when using social media? For example, most councils will need to make the following rules clear to all staff but you may have particular rules. Staff must not post disparaging or defamatory statements about the council or its stakeholders; they should make it clear in social media postings that they are speaking on their own behalf (unless they are posting as part of their job role); They must not post comments about sensitive community topics, such as planning applications. If they see content on social media that disparages or reflects poorly on the council they should refer this to the Clerk or Chair of the council. They must not post anything that could be considered discriminatory against, or bullying or harassment of, an individual. Most councils will stipulate that these rules apply as much to personal social media as they do to the council's accounts.
- Employers have the right, in certain circumstances, to monitor their employee's usage of the internet or email at work. Your policy (and Privacy Notice) should make this clear if that is your practice.

- Do you use social media as part of your recruitment processes, i.e. do you use internet searches to perform due diligence on candidates? If this is relevant, then this should also be reflected in your Privacy Notice.
- Make clear that any breach of the policy may lead to action being taken under the council's disciplinary policy.
- Remember that social media is constantly changing and charities should regularly review its social media policy to ensure it is up-to-date.

Guidance

Where there is text in [square brackets] this part may be updated or be deleted if not relevant. An alternative option may have been provided.

Important notice

This is an example of an employment policy designed for a small council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This document was commissioned by the National Association of Local Councils (NALC) for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

This document has been written by Worknest HR – a company that provides HR advice and guidance to town and parish councils. Please contact them on 01403 240 205 for information about their services.

[ENTER COUNCIL NAME] LONE WORKING POLICY

Purpose of this policy and procedure	2
The scope of this policy	2
Policy	2
Definition	2
Responsibilities	2
Risk assessments	3
Ways in which lone working risks can be reduced	4
Health and wellbeing	5
Reporting incidents	5

Purpose of this policy and procedure

The council recognises that some of our staff work alone, and where this is the case, seeks to ensure the health and safety of all lone workers. This document:

- Raises awareness of the safety issues relating to lone working,
- Identifies and assesses potential risks to an individual working alone,
- Explains the importance of reasonable and practicable precautions to minimise potential risk,
- Provides appropriate support to lone workers, and,
- Encourages reporting of all incidents associated with lone working so that they can be adequately managed and used to help reduce risks and improve working arrangements for the future.

The scope of this policy

It applies to all staff, whether full time, part time or temporary workers. It does not apply to councillors.

Policy

We will protect staff from the risks of lone working, as far as is reasonably practicable. Working alone is not in itself against the law and it is often safe to do so. However, the council's policy is to consider carefully and deal with any health and safety risks for those who work alone.

Definition

'Lone Worker' refers to people who work by themselves without work colleagues either during or outside normal working hours. Examples include:

- A caretaker who opens and closes a hall either early in the morning or late at night
- A groundsman tending to green space
- Office workers who work alone in the premises, and,
- Homeworkers.

Any worker under the age of 18 years, or anyone working in confined spaces is not permitted to work on their own.

Responsibilities

All staff have a responsibility for the health and safety of work colleagues. The key responsibilities are as follows:

Managers

- Will try to avoid the need for lone working as far as is reasonably practicable;
- Ensure that the worker is competent to work alone;
- Ensure that all lone working activities must be formally risk assessed. This should identify the risk to lone workers; any control measures necessary to minimise those risks; and emergency procedures;
- Arrangements for lone working must be made clear to staff and the details of what can or cannot be done while working alone explained;
- Lone workers must be informed of the hazards and understand the necessary control measures that need to be put in place and have the opportunity to contribute to the risk assessment;
- Must raise the alarm if staff cannot be contacted or do not return as anticipated
- Must ensure that all staff are aware of this lone working policy and procedure and provide appropriate levels of training and guidance on lone working.

Lone workers

- Take reasonable care of themselves and others who may be affected by their work
- To follow any instruction given by management or the council
- Raise with their line manager any concerns they have in relation to lone working
- Not to work alone where there is adequate information to undertake a risk assessment.
- Inform their line manager at the earliest opportunity in the event of an accident, incident of violence or aggression whilst working alone

Staff

- To be aware of colleagues working on their own and alert to unexpected changes of routine, unanticipated periods where there is no communication.
- Buddies should ensure they maintain and share up to date contact details (see below)

Risk Assessments

Managers must complete (or ensure the completion of) a Lone Working Risk Assessment prior to every lone working activity and updated as appropriate. The risk assessment should be reviewed by the lone worker before undertaking the work and communicated to all relevant staff or councillors.

People who work alone will of course face the same risks in their work as those doing similar roles/tasks. However, they may additionally encounter hazards such as:

- Sudden illness
- Faulty equipment
- Travelling alone
- Remote locations
- Abuse from members of the public
- Animal attacks

Ways in which lone working risks can be reduced

Every lone working environment and situation is different, and therefore it is not possible to implement a 'one size fits all' approach. Where there is regular or anticipated lone working, the council will devise and implement a lone working plan that meets the needs and risks of their particular circumstances. The plan should be proportionate to any risks that are identified from the risk assessment. The plan for a groundsman lone working with machinery will be more detailed than an administrator working late in the office. This should be written down and communicated to all relevant staff and where appropriate, councillors.

Below are some example strategies that could be implemented (on their own or combined):

- Signing-in and Out book
- Electronic (or hard copy) diaries to be kept up to date with meeting/visit/lone working details
- Agreed times and method of contact
- Buddy scheme

Buddy scheme

The following information should be written down and kept by the lone worker and their buddy, next of kin and manager (see the Lone Working Buddy Form):-

- Name and contact details of the lone worker
- Name, relationship and contact details of the buddy
- Name, relationship and contact details of the lone worker's next of kin
- Name, relationship and contact details of the lone worker's manager
- Any 'code word' that would indicate that the lone worker needs assistance
- Note: All these details must be kept securely in line with data protection legislation

If you change your contact details, you must let your buddy and manager know.

In circumstances where a buddy system is appropriate as a way of reducing the risks identified in the risk assessment, the buddy must have relevant details about your lone working, that may include;

- where you are going (address or area if there is no address);

- details of the purpose (i.e. preparing the hall, grass cutting, meeting);
- contact details of anyone you intend to meet (any additional contact details for the location you are visiting);
- your mode of transport;
- when you are expected to return;

Your buddy must know what to do if you do not return or make contact at the anticipated/agreed time.

Health and wellbeing

In order to ensure your personal safety, it is important that you share any details of any aspects of your health that could lead to increased risk with your manager or specific councillors. This includes pregnancy. You can then jointly plan to mitigate any potential risks caused by your circumstances. This information will be treated on a strict 'need to know' basis with your confidentiality of the utmost importance.

Reporting incidents

Any incidents or perceived risks encountered while lone working should be recorded, reviewed and acted upon. The report should include:

- A brief note of what happened, when, and who was involved,
- For any work-related aggression (verbal or physical) including threatening behaviour, all of the details of the incident and of the perpetrator should be captured, which could then be used if the police take any formal prosecution action. This might be particularly important for more serious incidents of work-related violence, and,
- In either instance, this might also include recording details of any circumstances you think might have contributed to the incident, e.g. the context of the interaction, perceptions about the condition of the perpetrator, or any environmental circumstances. This information would then support us to review our risk assessment process and see if any additional measures are needed.

If you feel unsafe, unwell, or become injured call the emergency services if you need immediate assistance. If possible, call your manager, buddy or councillor or colleague to let them know (or ask someone to do so on your behalf).

Call your manager if your plans change because you feel unwell or if you have a domestic emergency when working alone.

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

Date of policy: December 2019

Approving committee:

Date of committee meeting:

Policy version reference:

Supersedes: [Name of old policy and reference]

Policy effective from:

Date for next review:

— policy ends here —

Notes

The Health and Safety Executive have extensive advice and guidance on homeworking, lone working, including guidance on the risks of lone working.

Homeworking: www.hse.gov.uk/toolbox/workers/home.htm

Lone working: www.hse.gov.uk/toolbox/workers/lone.htm

Risks of lone working: www.hse.gov.uk/pubns/indg73.pdf

Guidance

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MELKSHAM WITHOUT PARISH COUNCIL

HOME AND HYBRID WORKING POLICY

About This Policy

Melksham Without Parish Council support homeworking in appropriate circumstances, either occasionally (to respond to specific circumstances or to complete particular tasks) or in some cases on a regular (full or part-time) basis. In addition, occasional or permanent homeworking can, in certain circumstances, be a means of accommodating a disability and can be requested as a means of flexible working.

This policy sets out how we will deal with requests for homeworking, and conditions on which homeworking will be allowed or in some circumstances required. If you are allowed or required to work from home, you must comply with this policy.

This policy does not form part of any employee's Contract of Employment and we may amend it at any time.

Hybrid Working Arrangements

As part of our commitment to flexible working, we support hybrid working arrangements.

A hybrid working arrangement is a flexible working arrangement which allows you to split your working time between the workplace and an agreed remote working location, such as your home.

Hybrid working arrangements will differ depending on the nature of your role, duties and responsibilities and so are discretionary and subject to agreement with the Clerk.

The days and times worked from your workplace and your agreed remote working location are subject to agreement with the Clerk and may vary to accommodate the needs of the council.

Whether hybrid working arrangements can be accommodated will be subject to the same considerations and conditions as set out in this Policy.

Temporary or Occasional Home or Hybrid Working Arrangements

There are a number of circumstances in which the ability to work from home on an occasional or temporary basis may be of benefit to you and us:

- When a child or elderly relative becomes unwell or arrangements for their care break down at short notice;
- When, despite being fit to work, travelling to the office is difficult (for example, due to recovery from an injury such as a broken leg);
- When public transport has been disrupted (for example, by the weather or by a strike that affects your travel arrangements);
- When a quiet, uninterrupted work environment will assist in dealing with a backlog of administrative tasks or in writing reports/preparing for meetings to a deadline; or
- During any period when you are unable to work from the office such as during severe weather or a global pandemic.

In these circumstances, working at home can be authorised by the Clerk where, in their opinion:

- You have work that can be undertaken at home;
- You have the required equipment to work from home; and
- Working at home is cost-effective and any increase in work that may be passed to your colleagues as a result is kept to a minimum.

The Clerk will, where necessary, liaise with the council to confirm arrangements.

In the event that you are suffering from mild illness but are well enough to work, we may require you to work from home during your illness if you are suffering from symptoms associated with a contagious disease. This is in order to protect the health and safety of your colleagues and to prevent the spread of infections within the workplace.

In addition, if circumstances affect our ability to allow you to come into the workplace because of, for example, government restrictions and/or health and safety requirements, we may require you to work from home.

Permanent Home or Hybrid Working Arrangements

After successful completion of your probationary period, you can make an application for home or hybrid working, which will be considered on its merits. However, not all roles and not all jobs are suitable for such arrangements.

You may want to vary your working arrangements so that you may work from home permanently or for a fixed period, or you may wish to work from home for all or part

of your working week for example, by way of a hybrid working arrangement. Any request to work from home or remotely must meet the needs of the council as well as your needs.

A request for home or hybrid working is unlikely to be approved if:

- You need to be present in the office to perform your job (for example, because it involves a high degree of personal interaction with colleagues or third parties or involves equipment that is only available in the office);
- Your most recent appraisal identifies any aspect of your performance as unsatisfactory;
- Your line manager has advised you that your current standard of work or work production is unsatisfactory;
- You have an unexpired warning, whether relating to conduct or performance; or
- You need supervision to deliver an acceptable quality and/or quantity of work.

If you wish to apply to work from home, you will need to be able to show that you can:

- Work independently, motivate yourself and use your own initiative;
- Manage your workload effectively and complete work to set deadlines;
- Identify and resolve any new pressures created by working at home; and
- Adapt to new working practices, including maintaining contact with the Clerk and colleagues at work.

To be considered for permanent home or hybrid working, you must submit a written application to the Clerk. Requests from the Clerk to be addressed to the Chair of Council and the Chair of Staffing Committee in the first instance. Applications will be reviewed by the Staffing Committee who will make their recommendation to the Full Council. Your application must state:

- Why you consider your job to be suitable for home or hybrid working and how you meet the criteria for home or hybrid working set out above;
- The date from which you wish the arrangements to start and, if you wish to work from home for a fixed period, the date on which you want the arrangements to finish. You should try to give us as much notice as possible and, in any event, make your application at least 4 weeks before your proposed start date so that your request can be considered;
- Whether you wish to work from home for all or part of your working week and, if only part, which days you propose to work from home;
- How you would organise your work from home, including how you would ensure the security of documents and information, where appropriate;
- If you are wishing to work from another remote location other than your home, providing details for that, including where, when, and how it would work;
- The extent to which you could be available to come into the workplace on days you are proposing to work from home if needed, for example to cover if

colleagues are off sick, to cope with high or unexpected levels of work or to attend meetings or training days and to staff the public office;

- If different from your current hours of work, the hours of work that you propose apply when you are working at home; and
- How you envisage maintaining contact with your line manager, how your work will be set, and how progress will be monitored.

If you wish to work from a remote working location abroad at any time during any hybrid working arrangement, this will require separate approval from the council and there is no guarantee that this will be possible. Working remotely from a location abroad is not subject to this policy due to different compliance and legislative requirements.

It may assist your application for home or hybrid working if you first discuss your proposal with the Clerk informally. This may identify potential problems with your application, such as a need to be in the workplace on occasions you had not considered, which your application can then address.

In considering your application, the Clerk may invite you to a meeting to discuss your proposals. If your request is refused, we will give you written reasons explaining why and you have the opportunity to appeal.

If your application is accepted, the agreed arrangements will be recorded in writing and may be subject to a trial period.

Conditions and Rules Relating to Home and Hybrid Working

Any terms on which it is agreed that you may work from home/ remotely either on a temporary or permanent basis will include the following:

- We reserve the right to terminate any informal home/hybrid working arrangements, for example if your role changes such that home/hybrid working is no longer suitable, subject to reasonable notice.
- You will be subject to the same performance measures, processes and objectives that would apply if you worked at our premises.
- If you receive an unsatisfactory grade in an appraisal or are subject to a written warning for any reason, your home/hybrid working arrangements may be terminated immediately, and you will be expected to return to work at our premises.
- The Clerk will remain responsible for supervising you and will regularly review your home/hybrid working arrangements and take steps to address any perceived problems. They will ensure that you are kept up to date with circulars and information relevant to your work.
- You agree to attend the office or other reasonable location for meetings, training courses or other events which we expect you to attend.
- Working at or from home/ remotely may affect your home and contents insurance policy, mortgage, lease or rental agreement. You must make any

necessary arrangements with your insurers, bank, mortgage provider or landlord before commencing homeworking.

Requests to Return to Work in the Office

If you want to terminate your home/hybrid working arrangement, you must notify the Clerk in the first instance. We will only be able to accommodate your request if there is sufficient office space and a suitable desk for you.

Working at Home/ Remotely: Equipment

We will provide any equipment that we consider you reasonably require to work from home/ remotely, which will remain our property. We will make all necessary arrangements for, and bear the cost of, installing and removing equipment from your home. Where equipment is provided, you must:

- Use it only for the purposes for which we have provided it;
- Take reasonable care of it and use it only in accordance with any operating instructions and our policies and procedures; and
- Make it available for collection by us, or on our behalf, when requested to do so.

We are not responsible for associated costs of you working from home / remotely including the costs of heating, lighting or electricity.

Working at Home/ Remotely: Data Security and Confidentiality

All equipment and information must be kept securely. You should take all necessary steps to ensure that private and confidential material is kept secure at all times. The Clerk must be satisfied that all reasonable precautions are being taken to maintain confidentiality of material in accordance with our requirements.

You may only use equipment which has been provided by or authorised by us. You agree to comply with our instructions relating to software security and to implement all updates to equipment as soon as you are requested to do so.

You confirm that you have read and understood our policies relating to computer use, electronic communications and data security and that you will regularly keep yourself informed of the most current version of these policies.

If you discover or suspect that there has been an incident involving the security of information relating to the council, or anyone working with or for the council, you must report it immediately to the Clerk.

Working at Home / Remotely: Health and Safety

When working at home or from another remote location, you have the same health and safety duties as other staff. You must take reasonable care of your own health

and safety and that of anyone else who might be affected by your actions and omissions. You must attend/complete the usual office health and safety courses and undertake to use equipment safely.

We retain the right to check working areas for health and safety purposes. The need for such inspections will depend on the circumstances, including the nature of the work undertaken.

You must not have meetings in your home with members of the public and must not give the public your home address or telephone number.

You must ensure that your working patterns and levels of work both over time and during shorter periods are not detrimental to your health and wellbeing.

If you are a home/remote worker, the council will normally expect you to contact the Clerk regularly.

Home/remote workers must ensure that they take adequate rest breaks as required by the Working Time Regulations 1998. You must:

- Take a break during each working day of at least 20 minutes, during which you must stop work;
- Ensure that you have a daily rest break of at least 11 continuous hours, i.e., the time period between stopping work one day and beginning work the next day must not be less than 11 hours; and
- Have at least one complete day each week when no work is done.

You must use your knowledge, experience and training to identify and report any health and safety concerns to the Clerk.

Recommended by Staffing & Resources Committee on Monday 4th October 2021. Approved by Full Council 18th October 2021.



MELKSHAM WITHOUT PARISH COUNCIL

Safeguarding Policy

1. Introduction and Purpose:

The purpose of this safeguarding policy is to outline the commitment and responsibilities of Melksham Without Parish Council in ensuring the welfare and protection of children, young people, and vulnerable adults who engage with or are involved in the activities, programmes, and services provided by the parish council. This policy aims to create a safe and supportive environment for all individuals, preventing any form of harm or abuse.

2. Scope:

This policy applies to all members, employees, volunteers, and individuals engaged in activities, events, and services organised or supported by the Parish Council.

3. Legal Framework:

Melksham Without Parish Council is committed to complying with all relevant legislation and guidance pertaining to safeguarding, including but not limited to:

- a. Children Act 1989 and 2004
- b. Protection of Freedoms Act 2012
- c. Safeguarding Vulnerable Groups Act 2006
- d. Data Protection Act 2018
- e. Equality Act 2010

4. Roles and Responsibilities:

4.1 Parish Council:

- a) Melksham Without Parish Council will appoint a designated safeguarding officer who will be responsible for overseeing the implementation and compliance of this policy.
- b) The council will provide the necessary resources, training, and support to promote safeguarding within the parish council and its activities.

- c) The Council will promptly respond to any concerns, allegations, or incidents related to safeguarding and follow the appropriate reporting procedures.

4.2 Safeguarding Officer:

- a) The designated Safeguarding Officer will be the primary point of contact for all safeguarding matters and provide advice, guidance, and support to individuals within the parish council. The Clerk is the designated Safeguarding Officer for Melksham Without Parish Council.
- b) The Clerk will stay updated on relevant legislation, guidance, and best practices in safeguarding and ensure their implementation within the council.
- c) The Clerk will receive concerns, allegations, or incidents related to safeguarding, maintain accurate records, and follow the council's reporting and escalation procedures.

4.3 Members, Employees, and Volunteers:

- a) All members, employees, and volunteers engaging in activities or events involving children, young people, or vulnerable adults shall undergo appropriate recruitment processes, including obtaining relevant references and clearances.
- b) Individuals will receive safeguarding training and guidance, ensuring they are aware of their responsibilities and how to respond to concerns or disclosures appropriately.
- c) Individuals shall report any safeguarding concerns, allegations, or incidents to the designated safeguarding officer or follow the established reporting channels.

5. Code of Conduct:

- a) All members, employees, and volunteers must adhere to the Parish Council's Code of Conduct, which emphasises the respectful and safe treatment of children, young people, and vulnerable adults.
- b) Individuals must maintain appropriate boundaries and avoid engaging in behaviour that may be deemed abusive, exploitative, or discriminatory.
- c) Individuals shall report any suspicions, concerns, or disclosures promptly and in accordance with the reporting procedures outlined in this policy.

6. Confidentiality and Information Sharing:

- a) All safeguarding concerns, allegations, or incidents will be handled in a confidential manner, with information shared only with those who have a legitimate need to know.
- b) Melksham Without Parish Council will comply with relevant data protection legislation when handling personal information related to safeguarding matters.

7. Reporting Procedures:

- a) Any safeguarding concerns, allegations, or incidents should be reported immediately to the Clerk who is the designated safeguarding officer or the appropriate authority, as defined in the reporting guidelines.
- b) Individuals reporting concerns shall provide accurate and detailed information, maintaining confidentiality to the extent possible.

8. Review and Monitoring:

This policy will be reviewed annually to ensure its continued effectiveness and compliance with any changes in legislation or best practices. Melksham Without Parish Council will monitor the implementation of the policy and take appropriate measures to address any shortcomings or areas for improvement.

This safeguarding policy will be made available to all members, employees, volunteers, and stakeholders of Melksham Without Parish Council. It will be regularly communicated, reviewed, and reinforced to ensure the ongoing commitment to safeguarding within the parish council and its activities.

Recommended at Staffing committee 18th March 2024 (min. 456/23a) and approved for adoption by Full Council 25th March 2024. .

Date	Changes made
<i>Recommended at Staffing committee 26th June 2023 (min. 095g/23) and approved for adoption by Full Council 24th July 2023.</i>	
Recommended to adopt at Staffing committee 18th March 2024 (min. 456/23a) and approved for adoption by Full Council 25th March 2024. .	No changes made
