

LLANGOLLEN TOWN COUNCIL



STAFF HANDBOOK

Staff Handbook.

- 1.0 Introduction.
- 1.1 We extend a warm welcome to you on joining our council and hope that you will become a happy and valuable member of our excellent team.
- 1.2 The Town Council is keen that staff are enthusiastic and competent in their various roles and will ensure that you are able to play your part to the best of your ability for mutual benefit. Please study the contents of this handbook carefully. It contains a great deal of helpful information as well as our rules and regulations. If you require clarification about any of its contents, please discuss them with the Town Clerk or the Chairman of the Human Resources Committee.
- 1.3 The information contained in this Staff Handbook applies to all salaried employees of Llangollen Town Council, whose conditions of service are determined by the National Joint Council for Local Government Services and as locally agreed by the Human Resources Committee of the Town Council.
- 1.4 The Town Council recognises that the information may need further revision from time to time in order to take account of changing conditions and circumstances.
- 1.5 The Town Council seeks to act as a responsible employer, using as far as is possible for a Local Council, all reasonable and contemporary personnel practices and compliance in all respects with employment law and other legislation applying at the time and in doing so it will have reference to National Local Authority and Public Sector Organisations normative practice. Terms and conditions will be kept under review and National Agreements honoured.
- 1.6 The Town Council's Employment policy is geared to encourage and reward dedicated staff who take a professional attitude to work. The council seeks to offer a stable and constructive working environment for staff who are prepared to work in partnership to meet the Council's aim of giving high quality service to the people of the administrative area.
- 1.7 This handbook provides details of the Town Council's human resources policies and procedures and how they will be implemented. It is for use by all staff and the Council and its Committees in making decisions with respect to personnel matters. All day to day staff management decisions on personnel matters are delegated to the Clerk. Day to day matters relating to the Clerk will be dealt with by the nominated Member of the Human Resources Committee on the Council's behalf. Procedures in law also exist for the review of problem cases for all staff by the Town Council and its committees. These procedures are detailed within this handbook.
- 1.8 The Handbook is supplementary to your written statement of particulars of employment (Contract) and the Town Council's Standing Orders. The written

statement of particulars of employment indicates the specific provisions relating to your post particularly where there are a variety of contracts are in operation simultaneously.

2.0 The Town Council.

2.1 Llangollen became important because of its prominent position on the main London to Holyhead coaching road which was improved by Thomas Telford from 1815 and continued for some 15 years. The Canal was also constructed around the town and combined to bring considerable immigration into Llangollen during the early part of the 19th century. Today Llangollen relies heavily on the tourist industry, but still gains substantial income from farming.

2.2 The Town Council was formed following local government reorganisation in 1974 and has eleven elected Town Councillors, who are volunteers and do not receive any direct payment for their work.

2.3 The Town Council provides a range of local services and strives to make Llangollen a better place to live, work and visit including.

3.0 Community Assets.

3.1 The Town Council owns and manages Llangollen Town Hall which was built in 1867. Originally the market was held on the ground floor and people entered through the arches that are now occupied by shops and offices.

3.2 The War Memorial and Royal Gardens are also owned by the Town Council and is the civic heart of the town. Pen y Bryn Peace Garden, whilst owned by the Town Council, is managed in partnership by the Peace Garden volunteers with the aim of conserving and enhancing the historic landscape and heritage value of Pen y Bryn Cemetery whilst encouraging the sites greater use, and enjoyment by locals and wider community.

4.0 Community Support.

4.1 The Town Council has supported the process of Llangollen becoming a Cittaslow Town and in so. It has become a part of an international movement of towns that have adopted a common set of principles and objectives to enhance their quality of life.

4.2 Llangollen Town Council appreciates the skills, experience and expertise which the voluntary and community sector holds and recognises the help that organisations can give to support the Council in achieving its aims and to fulfil its priorities for residents. The Town Council therefore offers Community Support Grants to fund facilities, equipment and activities that are important to the local community, subject to the availability of funds.

- 4.3 The Town Council support a number of community and environmental safety projects as the overall appearance and safety of the town, is important. The Town Council supports the work of the Llangollen Tidy Towns Team, who work hard to make Llangollen a better place in which to live, work and enjoy. They get local people involved in a range of projects, as well as the monthly “Tidy up” of key areas around the town. The volunteers are of all ages and they learn new skills, keep active and have taken ownership and pride in the local area.
- 4.4 The street scene is also enhanced every year by the floral displays, funded by the Town Council, and provided through a partnership agreement with Derwen College.
- 5.0 Council Structure.
- 5.1 Town Council monthly meetings, are held on the third Tuesday of the month at 7.00 pm. Meetings are held in the Council Chambers, and are open to the public to attend and observe.
- 5.2 The Town council also operates other committees the Cittaslow and the Human Resources Committees.
- 6.0 Staff resources.
- 6.1 The current staff compliment comprises 1.5 fulltime equivalent posts of the Town Clerk and Responsible Financial Officer and the Town Hall Supervisor.

Alcohol and substance abuse policy

Purpose:

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

- 1.0 Purpose and Scope.
- 1.1 In support of our value to respect others Llangollen Town Council considers the welfare of individuals as key. The Town Council is committed to the elimination of any form of potential harm in the workplace. The purpose of this policy is to provide a corporate policy framework for alcohol and substance abuse.
- 1.2 Llangollen Town Council is committed to maintaining the good health and wellbeing of its employees. The Council takes the view that any employee working while under the influence of alcohol drugs or substances constitutes a threat to the health and wellbeing of themselves, other employees, as well as customers, clients and visitors. It recognises that standards of work performance and behaviour may also be adversely affected whilst employees are under the influence, and that excessive or inappropriate use of alcohol and drugs may lead to the development of alcohol and drug related problems which become apparent at work, including absenteeism, presenteeism, lost time, accidents, impaired judgement and decision making and effects on working relationships.
- 1.3 The Town Council recognises that such problems may be an illness, which will be treated in the same way as other illnesses. It considers that such problems need to be identified at an early stage, and treated. The Council also considers that employees with alcohol drugs or substances problems should be encouraged to seek help, as set out below.
- 1.4 Employees have a responsibility to ensure that they do not consume alcohol or use drugs or substances inappropriately at any time when they intend to work before the effects have worn off. This includes periods when an employee is “on-call” or “on-standby” and is being paid accordingly, or following late night drinking and/or use of substances when the employee will be reporting for an early shift.
- 1.5 Any employee or member found to be supplying, producing, cultivating, using or keeping illegal drugs on Council premises will be committing an act of gross misconduct and will be dealt with through the Council’s disciplinary procedures or in accordance with the Members Code of Conduct.
- 1.6 This policy will apply to all employees, volunteers, agency staff and elected members. It will also apply to contractors working on the Council’s behalf.

- 1.7 In appropriate circumstances, this policy may be used in conjunction with other Town Council policies, such as Sickness Absence and Disciplinary Procedures.
- 2.0 Definitions
- 2.1 Dependence – a compulsion to continue taking a drug in order to feel good or avoid feeling bad. When this is done to avoid physical discomfort or withdrawal it is known as physical dependence. When it has a psychological aspect (the need for stimulation or pleasure to escape reality) it is known as psychological dependence (ISDD, 1996)
- 2.2 Addiction – implies that a drug dependency has developed to such an extent that it has serious detrimental effects on the user. (ISDD 1996).
- 2.3 Recreational Drug Use – using a controlled drug in a social way for leisure or pleasure. This implies that drug use has become part of a person’s lifestyle even though they may only take drugs occasionally.
- 2.4 Drug misuse – is taken to mean using drugs in a socially unacceptable way.
- 2.5 Drug abuse – using drugs in a harmful way.
- 2.6 Inappropriate use – using a drug or alcohol in a way that affects individuals ability to do their job effectively, reporting for work, working or attempting to work whilst impaired through drink or drugs, dispensing, distributing, manufacturing, possessing, using, selling or offering to buy or sell a controlled drug.
- 2.7 Problem use – any drinking or substance use which interferes with an offering to buy or sell a controlled drug.
- 2.8 Presenteeism – Being in work physically but where performance is reduced below an individual’s usual capacity.
- 2.9 Medication – Some over the counter and prescription medicines can affect someone’s ability to work safely and productively, if there is any doubt the Occupational Health Adviser should be contact for advice.
- 3.0 Procedures and Arrangements
- 3.1 The Council will encourage and support employees experiencing difficulty with the use of alcohol, drugs or substances to access appropriate professional support and treatment. They will be treated in a fair and consistent manner and will not be discriminated against. This may include the provision of paid sick leave for any agreed treatment.

3.2 The Council may consider any acts of misconduct arising out of inappropriate use of alcohol or drugs, or failure to implement this policy, under its disciplinary procedure, depending on the individual. However, the Council may agree to suspend disciplinary action in cases of misconduct where an employee agrees to follow a suitable course of action, including treatment.

3.3 Llangollen Town Council, via this policy, will not permit any employee to remain at work, or carry out work on behalf of the Council or to report for work whilst under the influence of alcohol, drugs or substances.

3.4 Elected members must not return to or engage in plenary debates or formal Council business following any consumption of alcohol, excluding hospitality and civic engagements when they do not envisage returning to resume Council business.

3.5 Any member of staff or elected member who is known to be or strongly suspected of being at work while under the influence of alcohol, drugs or substances will be deemed to be in breach of this policy and will be asked to leave the premises. Arrangements will be made for them to be taken home if this is considered necessary.

4.0 Responsibilities

4.1 Managers

It is the responsibility of all managers to:

- Take action if an employee is known to be or strongly suspected of being at work while under the influence of alcohol, drugs or substances;
- Take action if an employee is identified as having a work problem which may be associated with alcohol, drugs or substances consumption or if an employee identifies their self as having an alcohol, drugs or substances related problem. Guidance for managers has been developed as an appendix to this policy, as shown in Appendix C.
- Ensure that this Policy is brought to the attention of all new and existing staff.
- Ensure that information on specialist agencies that may be able to help an individual with an alcohol, drugs or substances related problem is available to employees as appropriate.

4.2 Employees

It is the responsibility of all employees to:

- Comply with requirements set out in the this Policy;
- Co-operate fully with professional help and support once a problem has been identified;
- Encourage any colleagues who they may believe to be suffering from an alcohol, drugs or substances related problem to seek help.

5.0 Support & Counselling

5.1 Advice and support will be made available to employees with an alcohol, drugs or substances related problem even though the problem may not yet be affecting their performance. Employees will be assured that this will be offered on a confidential basis.

5.2 Employees who suspect or know they have an alcohol, drugs or substances related problem are encouraged to seek help voluntarily. This may be accessed via a number of sources:

- Access to counselling services (number available from Town Clerk)
- GP or a specialist external agency
- Occupational Health Provider.

5.3 Where an employee is offered and accepts the opportunity to seek assistance and/or treatment/counselling, that employee will take leave which will be treated as sickness absence within the terms of the appropriate sick pay scheme, or paid leave of absence where appropriate.

5.4 Occupational Health Provider will determine, in consultation with the manager, the employee and their representative, whether it is appropriate to continue in their current job role, or whether consideration must be given to finding suitable alternative employment on a temporary or permanent basis within the Council. This may be reviewed on the employee's return to work/completion of treatment where consideration will be given as to whether it is in the best interest of the individual and the organisation to do so.

5.5 If an employee refuses to acknowledge there is a problem, or refuses to accept help, a timescale will be set for improvement in behaviour or performance. At the end of this period, the disciplinary procedure will be used if there is not a satisfactory improvement.

5.6 Having accepted help, and addressed the alcohol, drugs or substances related problem, the employee's normal career prospects will not be impaired.

6.0 Rehabilitation

6.1 The Council recognises that it may take an employee a period of time to re-adjust during treatment or rehabilitation. During this period, the manager and employee should work closely and full support should be given to the employee.

6.2 If further problems arise during the process of rehabilitation, or there is evidence of a relapse, each case will be considered on its merits, with involvement from the Occupational Health Provider in an attempt to ascertain how much more treatment/rehabilitation time is required for full recovery. Further treatment or

rehabilitation time may be given in order to help the employee recover fully, at the discretion of the Town Council.

7.0 Disciplinary Procedure in Relation to the Policy

- 7.1 Employees who, because of the inappropriate use of alcohol, drugs or substances behave in a manner contrary to the standards of safety, conduct and capability required by the Council will be dealt with in accordance with the Council's Disciplinary Procedures.
- 7.2 Employees who are identified as having an alcohol, drugs or substances related problem/illness, and decline to seek assistance or who discontinue a course of treatment before completion, and who fail to achieve a satisfactory level of work performance, will be dealt with in accordance with the Council's Disciplinary Procedures.
- 7.3 There may become a stage where the Council has supported an individual to the standard of a reasonable employer, and disciplinary action may still be appropriate due to continued inappropriate use of substances.
- 7.4 It may be necessary for the Council to make special arrangements to ensure the employee does not put them, others, or indeed the Council at risk. In such cases it may be necessary to transfer the employee on a temporary or even permanent basis to another area of work. This would take place after full consultation with the employee and the employee's representative.

APPENDIX A

THE LEGAL POSITION

The Council has a duty under the Health & Safety at Work etc Act 1974 (HSW Act) to ensure, as far as is reasonably practicable the health, safety and welfare at work of all employees.

There is also a duty under the Management of Health & Safety at Work Regulations 1999, to assess the risks to the health and safety of employees. The Council is concerned that the good health of all staff, working efficiently, and safety are maintained and that the Council's public image is not damaged by incidents related to alcohol or substance misuse.

The Road Traffic Act 1988 states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs shall be guilty of an offence. An offence is also committed if a person unfit through drink or drugs is in charge of a motor vehicle in the same circumstances.

It is an offence under the Misuse of Drugs Act 1971 for any person knowingly to permit the production, supply or use of controlled substances on their premises except in specified

circumstances (e.g. when they have been prescribed by a doctor or registered healthcare professional).

APPENDIX B

POSSIBLE SIGNS OF SUBSTANCE MISUSE

Any substance misuse can cause severe problems, not only for the individual and their family, but also for fellow employees and clients. These problems may become apparent in some or all of the ways described below. Line Managers should fully understand however that the symptoms displayed by the individual may have some cause other than a substance misuse problem.

Work Performance

Poor decision making

Absences from post, perhaps more than normally required

Overlong breaks

Decrease in concentration – jobs take longer, require greater effort

Difficulty in recalling instructions and detail

Decline in quality and quantity of work, effort cannot be sustained

Increase errors in judgement

Increased fatigue

Loss of interest in work

General unreliability unpredictability

Improbable excuses for poor performance

Accidents

Increase in accident rate in work

Accidental injury while not in work

Poor relationships with colleagues

Over reaction to real or imagined criticism

Unreasonable resentments

Irritability

Complaints from fellow workers

Borrowing money from colleagues

Avoidance of line manager and/or colleagues

Individual Behaviour

Reporting to work smelling of alcohol

Increasingly unkempt appearance

Decline in personal hygiene

Non Attendance

Unusually high sickness levels

Multiple instances of unauthorised weekends or days off

Excessive lateness

Leaving early
Unauthorised breaks
Unexplained absences from duty

APPENDIX C

GUIDANCE FOR MANAGERS AND ASSISTANCE FOR EMPLOYEES

1 Identifying a Problem

- 1.1 Research suggests that the workplace is an appropriate place to create an environment in which individuals who misuse alcohol, drugs or other substances can be encouraged to make decisions to change their behaviour. Job loss or retention can often be a prime motivating factor.
- 1.2 Substance misuse may come to the attention of a line manager in several ways, and all Managers should be alert to the possibility within their staff group. A list of some of the possible manifestations of an alcohol or substance misuse problem may be found in Appendix B.
- 1.3 Managers will receive support in recognising signs of substance abuse.
- 1.4 Employees should also be aware that they do not need to wait to be advised by their line manager before seeking help for any problem. An individual may recognise themselves that they have a problem before it comes to the attention of their line manager. In this situation employees are actively encouraged to seek help.

2 Problems identified through General Observation

- 2.1 Where a line manager reasonably suspects a potential substance misuse problem in an employee through general observation, they are obliged to explore the matter further.
- 2.2 The line manager should discuss their concerns with the employee, honestly and sympathetically, while understanding that these symptoms may also have some other cause. During these discussions line managers should always offer help and assistance to the employee through this policy. At the same time the manager should remind the employee of their personal and professional responsibility in this area when reporting for duty.

3 Problem identified through matters of a disciplinary nature

- 3.1 Employees may come to notice as having a problem with substance misuse through matters of a disciplinary nature. Employees who may have a substance misuse problem cannot be excused from complying with accepted standards of conduct, and health and safety.

- 3.2 The aim of this policy is to identify early problems of substance misuse, and provide appropriate help and support to employees before their problems lead to breaches of disciplinary rules. However, employees need to be aware that where a serious offence is committed, they will be subject to the Council's Disciplinary Policy. This does not preclude the possibility of evidence of a substance misuse problem being offered in mitigation at a disciplinary hearing.
- 3.3 Employees with a substance misuse problem who are subject to the Council's Disciplinary Procedure will continue to be offered help through the Alcohol, Drug and Substance Abuse Policy.
- 3.4 In situations where an employee's misuse of alcohol, drugs or other substances, leads to the loss of qualifications required for their job, employment may be terminated or where appropriate, redeployment may be sought.
4. Available Assistance
 - 4.1 The offer of help will normally commence with referral to a professional counsellor. The Counsellor will offer support and advice to the employee on a confidential basis.
 - 4.2 In some circumstances it may be more appropriate or more acceptable for a line manager or their employee to directly contact an external agency for support and assistance. In this situation it is appropriate for the line manager to request from the chosen agency, written confirmation of the employee's acceptance and continued attendance for treatment.
 - 4.3 Employees who wish to voluntarily seek help for a substance misuse problem are encouraged to contact the Counsellor directly. A contact number for the Counsellor can be obtained from the Town Clerk.
 - 4.4 Employees should also be encouraged to seek help and advice from their GP.
 - 4.5 In cases of management referral to the Occupational Health Provider, a written assessment of the individual's fitness for duty to will be sent to the Town Clerk, unless the referral is of the Town Clerk, when this will be sent to the Chairman of the Personnel Committee.
 - 4.6 Any offer of help will be made with the understanding that if necessary the employee will be granted paid leave to undergo counselling or treatment. If the employee is unable to attend or return to work during the course of their treatment, then such leave will be treated as sick leave. However, if the employee is well enough to attend work, only requiring release from duty for treatment, paid leave may be granted.

- 4.7 If an employee has taken a period of sick leave following identification of a substance abuse problem, the employee will be able to return to the same post unless this would be inconsistent with the long term resolution of the employee's substance misuse problem. When a return to the same post is not advisable, consideration will be given to redeployment if appropriate.

Bullying and Harassment Policy

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1.0 Purpose and Scope.

1.1 In support of our value to respect others Llangollen Town Council considers the welfare of individuals as key. The Town Council is committed to the elimination of any form of potential harm in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding dignity, bullying and harassment in the workplace

2.0 Definitions

2.1 Bullying

“Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this 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.”

2.2 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.”

2.3 These definitions are derived from the ACAS guidance on the topic. Both bullying and harassment are behaviours which are unwanted by the recipient. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others, damage to the Town Council’s reputation and ultimately, Employment Tribunal or other court cases and payment of unlimited compensation.

2.4 Examples of unacceptable behaviour are as follows; (this list is not exhaustive)

2.5 Spreading malicious rumours, insulting someone, ridiculing or demeaning someone, exclusion or victimisation, 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.

2.6 Bullying and harassment may occur face-to-face, in meetings, through written communication, 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 non-work time.

3.0 The Legal position

3.1 Town 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 Town Council and the perpetrator(s) as individual named Respondents.

3.2 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

4.0 Penalties

4.1 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 Town Council. If elected Members are bullying or harassing employees, contractors, fellow Town Councillors, 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 Town 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 Town Council should take appropriate legal advice, often available from the Town Council's insurer, if such a matter arises.

5.0 Process for dealing with complaints of Bullying and Harassment

5.1 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 an 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.

5.2 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 Chair of the HR committee or another Town 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.

5.3 Others:

Any other party to the Town Council, other than an employee who feels he or she is being bullied or harassed should raise their complaint with a Town Councillor, where possible, or the Monitoring Officer if an informal notification to a member has been unsuccessful at eliminating the problem or where a member is directly involved in the bullying or harassment. 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 a Town Council should use the Town Council's official Complaints Procedure.

6.0 Grievance – Employees only

6.1 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 Town Council's Grievance Procedure. 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.

6.2 A full investigation of the complaint will be held by an officer as appointed by the Chair/Town Councillor who 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 complainant to demonstrate how the problem is to be resolved. It may be decided

that mediation is required and the Town Council should contact SLCC, an employer's body or ACAS to this effect or the Town Council may offer counselling. The employee will have a right of appeal as established by statute.

6.3 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 Town Council without prior approval by the complainant. The Town Council will commit not to victimize the complainant for raising the complaint once the appropriate grievance/disciplinary process has been concluded.

7.0 Disciplinary Action

7.1 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.

7.2 For an Employee found to have been bullying/harassing others this will follow the Town Council's Disciplinary procedure, under the ACAS Code of Practice provisions and would normally be treated as Gross Misconduct.

7.3 For Members who the Town Council reasonably believe have been bullying or harassing another person(s) whilst undertaking Town Council activities the range of sanctions available to the Town 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. inter-personal 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, or removing the right to representation on any outside bodies where there will be contact with the employee who has raised the complaint.

7.4 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 (England) or Ombudsman (Wales) 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 more extreme cases.

7.5 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 a referral to the Standards process.

8.0 Responsibilities

- 8.1 All parties to the Town 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 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.
- 8.2 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 Town 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 Town Council undertakes to share its policy with all members and workers and request that each party signs to demonstrate acceptance of its terms.
- 8.3 All new members and employees will be provided with a copy of this policy. A review of the policy shall be undertaken each year (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full Town Council for approval. The Town Council will undertake to ensure that its members and workers are trained in the processes required by this policy as deemed appropriate

Capability policy

Owner:	Town Clerk.
Approved by:	Town Council.
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Review Frequency:	Every 1 year
Next review date:	2017

1. Purpose and scope.
 - 1.1 In support of our value to respect others Llangollen Town Council considers the welfare of individuals as key. The primary aim of this policy is to provide a framework within which the Town Council can work with employees to maintain satisfactory performance standards and to encourage improvement where necessary.
 - 2.0 Identifying performance issues.
 - 2.1 In the first instance, performance issues should normally be dealt with informally with appropriate line manager or the Chairman Human Resources Committee as part of day-to-day management. Where appropriate, a note of any such informal discussions may be placed on the staff member personnel file but will be ignored for the purposes of any future capability hearings. The formal policy should be used for more serious cases, or in any case where an earlier informal discussion has not resulted in a satisfactory improvement. Informal discussions may help:
 - (a) clarify the required standards;
 - (b) identify areas of concern;
 - (c) establish the likely causes of poor performance and identify any training needs; and/or
 - (d) set targets for improvement and a time-scale for review.
 - 2.2 Employees will not normally be dismissed for performance reasons without previous warnings. The Town Council, in serious cases of gross negligence, or in any case involving an employee who has not yet completed their probationary period, dismissal without previous warnings may be appropriate.
 - 2.3 If the Town Council has concerns about the staff member performance, the Town Council will undertake an assessment to decide if there are grounds for taking formal action under this procedure. The procedure. involved will depend on the circumstances but may involve reviewing the staff member personnel file including any appraisal records, gathering any relevant documents, monitoring the staff member work and, if appropriate, interviewing the staff member and/or other individuals confidentially regarding the staff member work.

3.0 Disabilities

3.1 Consideration will be given to whether poor performance may be related to a disability and, if so, whether there are reasonable adjustments that could be made to the staff member working arrangements, including changing the staff member duties or providing additional equipment or training. The Town Council may also consider making adjustments to this policy in appropriate cases.

3.2 If the staff member wish to discuss this or inform us of any medical condition the staff member consider relevant, the staff member should contact the Town Clerk or Chairman of the Staffing Sub-Committee.

4.0 Confidentiality

4.1 The Town Council's aim is to deal with performance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with a matter which is subject to this capability procedure.

4.2 Staff, and anyone accompanying them (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.

4.3 Staff will normally be told the names of any witnesses whose evidence is relevant to the staff member capability hearing, unless the Town Council believe that a witness's identity should remain confidential.

5.0 Notification of a Capability Hearing

5.1 If the Town Council considers that there are grounds for taking formal action over alleged poor performance, the staff member will be required to attend a capability hearing. The Town Council will notify the staff member in writing of our concerns over the staff member performance, the reasons for those concerns, and the likely outcome if it is decided after the hearing that the staff member's performance has been unsatisfactory. The Town Council will also include the following where appropriate:

- (a) A summary of relevant information gathered as part of any investigation.
- (b) A copy of any relevant documents which will be used at the capability hearing.
- (c) A copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case the Town Council will give the staff member as much information as possible while maintaining confidentiality.

5.2 The Town Council will give the staff member written notice of the date, time and place of the capability hearing. The hearing will be held as soon as reasonably practicable, but the staff member will be given a reasonable amount of time for the staff member to prepare a case based on the information given to them.

6.0 Right to be accompanied at Hearings

6.1 The staff member may bring a companion to any capability hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. The staff member must tell the manager conducting the hearing who their chosen companion is, in good time before the hearing.

6.2 If the staff member's choice of companion is unreasonable the Town Council may require the staff member to choose someone else, for example:

- (a) if in the staff members opinion their companion may have a conflict of interest or may prejudice the hearing; or
- (b) if their companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days.

6.3 The Town Council may, at our discretion, allow the staff member to bring a companion who is not a colleague or union representative (for example, a member of his/her family) where this will help overcome a particular difficulty caused by a disability, or where they have difficulty understanding English.

7.0 Procedure at Capability Hearings

7.1 If the staff member or their companion cannot attend the hearing they should inform the Town Council immediately and the Town Council will usually arrange an alternative time. The staff member must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself. If the staff member fails to attend without good reason, or are persistently unable to do so (for example, for health reasons), the Town Council may have to take a decision based on the available evidence.

7.2 The hearing will normally be held by the Town Clerk or Chairman of the Human Resources Committee. The staff member companion may make representations, ask questions, and sum up the staff members case, but will not be allowed the Town Council to answer the Town Council's questions on the staff member's behalf. The staff member may confer privately with their companion at any time during the hearing.

7.3 The aims of a capability hearing will usually include:

- (a) Setting out the required standards that the Town Council believe the staff member may have failed to meet, and going through any relevant evidence that the Town Council have gathered.
 - (b) Allowing the staff member to ask questions, present evidence, respond to evidence and make representations.
 - (c) Establishing the likely causes of poor performance including any reasons why any measures taken so far have not led to the required improvement.
 - (d) Identifying whether there are further measures, such as additional training or supervision, which may improve performance.
 - (e) Where appropriate, discussing targets for improvement and a time-scale for review.
 - (f) If dismissal is a possibility, establishing whether there is any likelihood of a significant improvement being made within a reasonable time and whether there is any practical alternative to dismissal, such as redeployment.
- 7.4 A hearing may be adjourned if the Town Council need to gather any further information or give consideration to matters discussed at the hearing. The staff member will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 7.5 The Town Council will inform the staff member in writing of its decision and its reasons for it, usually within 14 days of the capability hearing. Where possible the Town Council will also explain this information to the staff member in person.
- 8.0 Stage 1 Hearing: First Written Warning
- 8.1 Following a Stage 1 capability hearing, if the Town Council decide that the staff member performance is unsatisfactory, the Town Council will give the staff member a first written warning, setting out:
- (a) The areas in which the staff member have not met the required performance standards.
 - (b) Targets for improvement.
 - (c) Any measures, such as additional training or supervision, which will be taken with a view to improving performance.
 - (d) A period for review.
 - (e) The consequences of failing to improve within the review period, or of further unsatisfactory performance.
- 8.2 The warning will normally remain active for six months from the end of the review period, after which time it will be disregarded for the purposes of the capability procedure.

8.3 After the active period, the warning will remain permanently on the staff members personnel file but will be disregarded in deciding the outcome of future capability proceedings.

8.4 The staff member performance will be monitored during the review period and the Town Council will write to inform the staff member of the outcome:

- (f) if the Town Clerk or Chairman of the Human Resources Committee is satisfied with the staff member performance, no further action will be taken;
- (g) if the Town Clerk or Chairman of the Human Resources Committee is not satisfied, the matter may be progressed to a Stage 2 capability hearing; or
- (h) if the Town Clerk or Chairman of the Human Resources Committee feels that there has been a substantial but insufficient improvement, the review period may be extended.

9.0 Stage 2 Hearing: Final Written Warning

9.1 If the staff members' performance does not improve within the review period set out in a first written warning, or if there is further evidence of poor performance while the staff member first written warning is still active, the Town Council may decide to hold a Stage 2 capability hearing. The Town Council will send the staff member written notification as set out in paragraph 5.

9.2 Following a Stage 2 capability hearing, if the Town Council decide that the staff member performance is unsatisfactory, the Town Council will give the staff member a final written warning, setting out:

- (a) the areas in which the staff member have not met the required performance standards;
- (b) targets for improvement;
- (c) any measures, such as additional training or supervision, which will be taken with a view to improving performance;
- (d) a period for review; and
- (e) the consequences of failing to improve within the review period, or of further unsatisfactory performance.

9.3 A final written warning will normally remain active for 12 months from the end of the review period. After the active period, the warning will remain permanently on the staff member personnel file but will be disregarded in deciding the outcome of future capability proceedings.

9.4 The staff member performance will be monitored during the review period and the Town Council will write to inform the staff member of the outcome:

- (f) if the staff member line manager is satisfied with the staff member performance, no further action will be taken;

- (g) if the staff member line manager is not satisfied, the matter may be progressed to a Stage 3 capability hearing; or
 - (h) if the manager feels that there has been a substantial but insufficient improvement, the review period may be extended.
- 10.0 Stage 3 Hearing: Dismissal
- 10.1 The Town Council may decide to hold a Stage 3 capability hearing if the Town Council have reason to believe:
 - (a) the staff member performance has not improved sufficiently within the review period set out in a final written warning;
 - (b) the staff member performance is unsatisfactory while a final written warning is still active; or
 - (c) the staff member performance has been grossly negligent such as to warrant dismissal without the need for a final written warning.
- 10.2 The Town Council will send the staff member written notification of the hearing as set out in paragraph 5.
- 10.3 Following the hearing, if the Town Council find that the staff member performance is unsatisfactory, the Town Council may consider a range of options including:
 - (a) Dismissing the staff member.
 - (b) Redeploying the staff member into another suitable job at the same or a lower grade.
 - (c) Extending an active final written warning and setting a further review period (in exceptional cases where the Town Council believe a substantial improvement is likely within the review period).
 - (d) Giving a final written warning (where no final written warning is currently active).
- 10.4 Dismissal will normally be with full notice or payment in lieu of notice, unless the staff member's performance has been so negligent as to amount to gross misconduct, in which case the Town Council may dismiss the staff member without notice or any pay in lieu.
- 11.0 Appeals against action for poor performance
- 11.1 If the staff member feels that a decision about poor performance under this policy is wrong or unjust the staff member should appeal in writing, stating the staff members full grounds of appeal, to the Chairman of the HR Committee will within one month of the date on which the staff member the Town Council informed in writing of the decision.
- 11.2 If the staff member is appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if the staff

members appeal is successful the staff member will be reinstated with no loss of continuity or pay.

- 11.3 If the staff member raise any new matters in the staff member appeal, the Town Council may need to carry out further investigation. If any new information comes to light the Town Council will provide the staff member with a summary including, where appropriate, copies of additional relevant documents and witness statements. The staff member will have a reasonable opportunity to consider this information before the hearing.
- 11.4 The Town Council will give the staff member written notice of the date, time and place of the appeal hearing. This will normally be two to seven days after the staff member receive the written notice.
- 11.5 The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of the staff member case. In any event the appeal will be dealt with as impartially as possible.
- 11.6 Where possible, the appeal hearing will be conducted by a Town Councillor of the Town Council who has not been previously involved in the case.
- 11.7 A hearing may be adjourned if the Town Council need to gather any further information or give consideration to matters discussed at the hearing. The staff member will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 11.8 Following the appeal hearing the Town Council may:
 - (a) confirm the original decision;
 - (b) revoke the original decision; or
 - (c) substitute a different penalty.

Disciplinary Policy.

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1.0 Purpose and scope

1.1 In support of our value to respect others Llangollen Town Council considers the working practices of individuals as key. The Town Council is committed to the elimination of any form of potential harm in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding discipline in the workplace

2.0 Principles

No disciplinary action will be taken against an employee until the case has been fully investigated.

At every stage in the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.

At all formal stages the employee will have the right to be accompanied by a trade union representative, a work colleague or a friend during the disciplinary interview.

No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty of dismissal without notice or payment in lieu of notice may be applied.

An employee will have the right to appeal against any disciplinary penalty imposed.

The policy may be implemented at any stage if the employee's alleged misconduct warrants such action.

3.0 The policy for misconduct and gross misconduct

3.1 The following list provides examples of misconduct which will normally give rise to formal disciplinary action:

- Unauthorised absence from work
- Persistent short-term and/or frequent absences from work without a medical reason
- Lateness for work or poor time keeping
- Inappropriate standard of dress

- Minor breaches of Health and Safety or other Town Council rules or procedures
- Failure to perform your job to the standard expected or in line with your job description/objectives
- Time wasting
- Disruptive behaviour
- Misuse of the Town Council's facilities (e.g. telephones, computers, email or the internet)
- Refusal to carry out reasonable requests or instructions
- Smoking in unauthorised areas
- Failure to follow an agreed Town Council Procedure

3.2 This list is not exhaustive and offences of a similar nature will result in disciplinary action being instigated N.B. persistent or frequent absence on medical grounds and long term sickness absence will be dealt with using a policy for Incapacity, which is described in the sickness policy.

3.3 The following list provides examples of offences which are normally regarded as gross misconduct:

- Theft, fraud, deliberate falsification of records, or other acts of dishonesty
- Fighting, assault on another person
- Deliberate damage to property of the Town Council , its workers or members
- Gross incompetence in the conduct of work
- Gross negligence which results in the Town Council or employees being put at risk.
- Being under the influence of illegal drugs or excessive alcohol
- Acts of incitement towards or actual acts of discrimination, harassment or victimisation including on the grounds of sex, race, colour, ethnic origin, disability, sexual orientation, age, religion or belief
- Serious acts of insubordination
- Serious breach of duty to keep information of the Town Council , its service providers and its clients confidential
- Unauthorised entry to computer records
- Serious breach of the Town Council 's, Health & Safety Policy, Confidentiality or e-mail and Internet Policy
- Any action, whether committed on or off the premises, that is likely to or does bring the Town Council into disrepute
- Serious negligence which causes or might causes significant loss, damage or injury
- Accepting bribes or incentive payments from suppliers
- Unauthorised use of Town Council funds or credit
- Working with an external agency to provide information which would be detrimental to and cause commercial risk to the Town Council.

3.4 This list is not exhaustive and other offences of a similar gravity will result in disciplinary action being instigated at Gross Misconduct level which carries a potential penalty of dismissal. Gross Misconduct is generally any conduct which places extreme pressure on the mutual trust which exists in an employment relationship.

4.0 Informal action

4.1 Minor misconduct will be dealt with informally usually in a confidential one-to-one meeting between the employee and line manager. In the case of the Clerk being the individual against whom there is a complaint or allegation the matter should be handled discreetly by members of the Personnel committee and involve an informal meeting initially. However, where the matter is more serious or informal action has not brought about the necessary improvement the following will be used.

5.0 Formal action

5.1 The level of warning you may receive for misconduct/gross misconduct will depend on how serious the Town Council considers the alleged actions to be and your previous conduct in all the circumstances. In the event of alleged gross misconduct the formal process may commence at Stage 4.

5.2 Disciplinary Letters

If there is a concern about an employee's conduct or behaviour then a letter will be given to the employee advising him/her of the allegation(s) and reasons why this is unacceptable. The letter should invite the employee to attend a meeting at which the alleged misconduct will be discussed and will inform the employee of their right to be accompanied to the meeting. The letter will specify at which stage the disciplinary policy is being invoked (see 4 stages below) and if invoked at Stage 4 for Gross Misconduct the letter will warn that a potential outcome could be dismissal. The time, date and venue of the meeting will also be advised. Any documents to be produced at the meeting will also be provided.

5.3 Disciplinary Meetings

The time and location of a disciplinary meeting should be agreed with the employee and it should be held in a private location with no interruptions. This will normally be without undue delay but allowing the employee to prepare their case e.g. within 5 days of the letter being sent, where practically possible. At the meeting the manager (or in the case of the Clerk being disciplined, the Chair of the hearing panel) will state the complaint against the employee and go through the evidence which has been gathered. The employee will also be allowed to ask questions, present evidence and call witnesses if advance notice has been given that they will do so.

If the employee is unable to attend the meeting due to unforeseeable reasons out of their control (e.g. illness) then the Town Council will

reasonably rearrange the meeting. However, if the employee fails to attend the meeting without good reason the meeting can be held in the employee's absence.

5.4 Outcomes and penalties

5.6 Stage 1 - Oral Warning.

In the instance of a first complaint that conduct does not meet acceptable standards, the employee will normally be given a formal ORAL WARNING. He or she will be advised of;

- the reason for the warning,
- that it is the first stage of the disciplinary procedure,
- the improvement that is required and the timescales for achieving this improvement,
- together with a review date and any support available (where applicable) and
- his or her right of appeal.

A brief note of the oral warning will be kept but it will be spent after 6 months, subject to satisfactory conduct.

5.7 Stage 2 - Written Warning

If the offence is a serious one, or if further to previous formal disciplinary action, a WRITTEN WARNING will be given to the employee by the Line Manager. This will give details of the complaint, the improvement required and the timescale. It will warn that action under Stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept on file but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct.

5.8 Stage 3 – Final Written Warning

If there is still a failure to improve and conduct or performance is still unsatisfactory, or the misconduct is sufficiently serious, a FINAL WRITTEN WARNING will normally be given to the employee. This will give details of the complaint, will warn that dismissal will result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept by the Line Manager (or in the case of the Clerk being disciplined by the Chair of the Hearing Panel) but it will be spent after 12 months (in exceptional cases the period may be longer) subject to satisfactory conduct.

5.9 Stage 4 – Dismissal or other sanctions

If conduct is still unsatisfactory and the employee still fails to reach the prescribed standards, or where the Town Council reasonably believes Gross Misconduct has occurred, DISMISSAL may result. Only the appropriately convened hearing panel can take the decision to dismiss an employee. The employee will be given a written statement of allegations against him/her, invited to a meeting and then be notified in writing of the reasons for the decision taken at the hearing. Penalties at this stage may include dismissal with notice or summary dismissal (i.e. without any notice), Final Written Warning with/without demotion, loss of pay or loss of seniority. If dismissal is the outcome, the employee will be advised of the date on which employment will terminate. In all cases the employee has a right of appeal.

- 5.10 Very exceptionally, if an offence of Gross Misconduct is extremely serious an employee can be dismissed immediately without a meeting. In this situation a letter setting out reasons for dismissal would be sent to the employee offering the opportunity for an appeal hearing.
- 5.11 Suspension.
If you are accused of an act of gross misconduct, you may be suspended from work on full pay while the Town Council investigates the alleged offence. Only the appropriately convened committee has the power to suspend. This enables a swift and thorough investigation to occur. Whilst suspended pending disciplinary investigation regular contact with a nominated person at the Town Council will be maintained although access to premises, equipment or systems may be denied. The Investigator who compiles evidence for the disciplinary hearing must play no part in the subsequent decision-making to ensure impartiality. Town Council s need to consider the implications of such arrangements on its hearing and appeal panel plans early on in the disciplinary process.
- 6.0 Appeals.
- 6.1 The Appeals stage of the disciplinary process is part of the Code of Practice to which an employee has a right. It can be exercised after any of the stages of disciplinary action for Misconduct/Poor Performance or Gross Misconduct.
- 6.2 An employee who wishes to appeal against a disciplinary decision should inform the Mayor within five working days, in writing and giving reasons for the appeal. An Appeal may be raised if:
- The employee thinks the finding or penalty is unfair
 - New evidence has come to light
 - The employee thinks that the policy was not applied properly

Where possible the Appeal will be heard by a separate panel of elected members who have not been involved in the original disciplinary hearing,

who will view the evidence with impartiality. The employee will have the right to be accompanied by a colleague or accredited Trade Union official or lay member at the appeal hearing. The outcome of the appeal and reasons for it will be advised to the employee as soon as possible after the meeting and be confirmed in writing.

- 6.3 At the Appeal hearing any disciplinary penalty imposed will be reviewed but it cannot be increased. The decision taken at the Appeal hearing will be final.
- 7.0 The right to be accompanied.
- 7.1 At each formal stage of disciplinary interview an employee has the right to be accompanied and can make a reasonable request for such a person to accompany them. An employee can ask any other employee or a trade union representative or an appropriately accredited official employed by a trade union to accompany them, to give support and help them prepare for the disciplinary interview. This right is enshrined in the 1999 Employment Relations Act. As this is an internal process there is no provision to have any external person accompany or represent an employee e.g. partner, parent, solicitor etc. The companion can address the hearing, put and sum up the employee's case, respond on behalf of the worker to any views expressed at the meeting, confer with the employee. The companion cannot however answer questions on the employee's behalf or address the hearing if the employee does not wish him/her to or prevent the employee explaining their case.
- 8.0 Hearing panels.
- 8.1 The SLCC advise that Town Councils to establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members
- 8.2 Notes must be taken at every meeting/hearing which arises as a result of a disciplinary process to enable any employment tribunal to be updated should there be a dispute, whilst still protecting the employee confidentiality.
- 9.0 Grievances raised during Disciplinarys.
- 9.1 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 Town Council or individual

Members. Disciplinary matters must be placed on hold until grievances have been aired and actions towards a resolution have been progressed.

10.0 Criminal charges or convictions.

10.1 If an employee is charged with or convicted of a criminal offence this does not automatically give rise to a disciplinary situation. Consideration needs to be given to how a charge or conviction may affect an employee's ability to undertake his or her job duties and their relationships with the employer, colleagues, subordinates or customers.

11.0 Getting it wrong.

11.1 Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) can lead to an Employment Tribunal awarding an uplift of an award against the Town Council of up to 25%. Tribunals dealing with unfair dismissal claims are particularly interested in whether the employer followed a policy and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that policy to staff and Members, revisit and review the policy regularly and have some training for those who are expected to operate the procedure.

Employee Code of Conduct

Purpose:	.
Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1.0 Purpose and Scope.

1.1 Town Council staff must give the highest possible standard of service to the public and, where it is part of their duties and provide appropriate advice to elected Members and fellow staff with impartiality.

1.2 Staff must always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial delivery of services to all groups and people within that community according to the Council's policies. In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Staff should at all times avoid any appearance of improper conduct, which may give rise to suspicion.

2.0 Ways of Working.

2.1 The Town Clerk is expected to set a good example for staff through his/her own behaviour and attitudes, especially in relation to upholding the ethical principles, obligations and standards as set in this Code of Conduct.

2.2 The Town Clerk should ensure that staff understand performance standards expected from them and objectively assess their performance against these standards. They should also ensure that all staff in their reporting line are familiar with the requirements and objectives of their job, and have access to the information, training, supervision, feedback and work conditions needed to achieve them.

2.3 The Town Clerk must be honest and objective in reporting the skills and qualities of staff in testimonials; references and performance reports, ensuring decisions can be substantiated against objective standards and indicators.

2.4 The Town Clerk, and or Members, are required to act promptly, thoroughly and fairly when responding to, or investigating grievances and reports of breaches of the Code of Conduct noted above.

3.0 Following Instructions.

- 3.1 All members of staff are expected to follow all reasonable and lawful instructions related to work given by a person with the authority to issue such instructions, even when staff may not personally agree with all the decisions.
- 3.2 Staff must be able to justify their instructions and decisions in line with their delegations, authority, Council policies and procedures, and be open and respond promptly to constructive questions. Staff can refuse to comply with an instruction that appears to be unlawful or unethical and report the matter to the Town Clerk or the Chairman of the Council. This may apply in cases where there is a danger to a person's health and safety or a conflict of interest may exist or it does not comply with Council policy and practice. This matter will then be duly discussed in more depth with the associated parties.
- 4.0 Confidentiality and disclosure of information.
- 4.1 Staff shall not divulge to any person (other than another member of staff or member of the Town Council that requires information for the performance of his/her duties), any information which the member of staff has obtained by reason of his/her employment to the Council, except where that information is anyway in the public domain by virtue of the Local Government Act 2000 or similar legislation such as Data Protection.
- 4.2 In particular, no member of staff shall divulge personal information regarding any employee, person or contractor, having dealings with the Authority and information relating to tenders or other such issues.
- 4.3 Whilst staff are encouraged to be open to the press, the press should only be provided with information which would normally be available publicly. If the employee is in any doubt as to whether or not the information can be disclosed for the press, prior approval from the Town Clerk must be sought in the first instance.
- 5.0 Political neutrality.
- 5.1 Staff serve the Council as a whole. Staff must serve all elected Members. In addition, they must ensure that the individual rights of all elected Members are respected. Subject to rules laid down from time to time, staff may be required to advise political groups. They must do so in ways consistent with the employee's neutrality. Whether or not staff are politically restricted by the law, they must follow the lawfully expressed policies of the Council and must not allow their own personal or political opinions to interfere improperly with their work.
- 6.0 Relationships.
- 6.1 Members.
Mutual respect between staff and Members is essential for good local government. Some staff need to work closely with Members. Close personal familiarity between staff and individual Members can damage the relationship and prove embarrassing to other staff and Members, and should therefore be avoided. The adopted

Staff/Member protocol is a guide for staff and Members in their relations with one another and their dealings with other Members and staff from any tier of Government in such a way as to ensure the smooth running of the Council.

- 6.2 The local community and service users.
Staff should always remember their responsibilities to the whole of the community they serve and ensure courteous, effective and impartial service delivery to all groups and individuals within that community in accordance with the policies of the Council.
- 6.3 Contractors.
All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to the Town Clerk at the earliest opportunity. Orders and contracts must be awarded in accordance with Council standing orders and no special favour should be shown to businesses run by, for example, friends, partners or relatives. Staff who, in the course of their job, engage, supervise contractors, or have any other official relationship with contractors, must declare as soon as possible, that relationship in writing to the Town Clerk. Any staff who have, or in the past had, a relationship in a private or domestic capacity with contractors (or their senior staff), must also declare as soon as possible, that relationship in writing to the Town Clerk.
- 7.0 Employment matters.
- 7.1 All staff must have regard to the Council's Officer Staff handbook, Standing Orders. Staff shall not canvass any Member or Officer of the Council in respect of candidates seeking employment with the Council.
- 7.2 Staff who are involved in appointments must ensure that these are made on merit. There is a strong risk of litigation if a staff member makes an appointment based on anything other than the ability of the applicant to undertake the duties of the post. To avoid accusations of bias, staff must not be involved with appointments where they are related to any applicant or otherwise have a close personal relationship with them. By the same token staff must not be involved in supervisory decisions relating to the discipline, promotion or remuneration (re-grading) of any employee to whom they are related or otherwise have a close personal relationship.
- 8.0 Outside commitments.
- 8.1 Staff off-duty hours are their own concern, but staff should make sure that they do not allow themselves to get into a position where their private interests come into conflict with their contractual obligations and are detrimental to the interests of the Council. Staff are normally expected to devote their working time only to the Town Council. However, in exceptional circumstances, consent can be given for staff to engage in any other business by applying to the Town Clerk.
- 9.0 Personal interests.

- 9.1 Staff must declare to the Town Clerk any financial or non-financial interests which could bring about conflict with the Council's interests. If in any doubt about a potential conflict of interest, staff should bring the matter to the attention of their line manager or supervisor so that a decision can be made as to how best to proceed. Staff must not make, or become involved with any official or professional decisions about matters in which staff have a personal interest. Section 117 of the Local Government Act 1972 requires a formal declaration about contracts or personal contracts with the Council in which staff have a pecuniary interest. Such declarations should be sent to the Town Clerk. It is a criminal offence to fail to comply with this provision. Staff must declare to the Town Clerk membership of any organisation not open to the public, requiring any commitment of allegiance, or which has secrecy about rules or membership or conduct, for example, the freemasons.
- 10.1 Equality.
- 10.1 All members of the local community, customers and other Council staff have a right to be treated with fairness and equity. Staff should become familiar with and observe all Council policies relating to equality issues, e.g. the Council's equality and diversity policy, in addition to the requirements of the law.
- 11.0 Tendering procedures.
- 11.1 Staff involved in the tendering process or who have any other official relationship with contractors, must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors. If staff are responsible for engaging or supervising contractors and have previously had, or currently have, a relationship in a private or domestic capacity with contractors, they must declare that relationship to the Town Clerk. If staff become privy to confidential information on tenders or costs relating either to internal or external contractors, they must not disclose that information to any unauthorised person. All staff must ensure that no special favour is shown to current, or recent former, staff or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.
- 11.2 At all times, staff dealing with Tenders and Contracts must ensure that they comply with the Council's Standing Orders and Financial Regulations with respect to Contracts.
- 12.0 Corruption.
- 12.1 Staff must be aware that it is a serious criminal offence under the Prevention of Corruption Acts 1906 and 1916 for them to receive or give any gift, loan or reward or advantage in their official capacity "for doing, or not doing, anything", or "showing favour, or disfavour to any person". If an allegation is made against staff, it will be for staff to demonstrate that any such rewards have not been corruptly

obtained. The relevant statutory rules appear in section 3.3 of the Guidance Note. For the staffs own protection, if anyone makes an approach to staff which seems to them, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, they must report the matter to the Town Clerk.

13.0 Possible inducements.

13.1 Staff are expected to use the Council's money and resources with absolute honesty and be able to demonstrate this at all times. A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to staff in connection with their official duties. It is important to avoid any suggestion of improper influence.

14.0 Gifts generally.

14.1 Casual gifts offered to staff by contractors, organisations, firms or individuals may not be intended as an inducement or connected in any way with the performance of official duties so as to involve the Prevention of Corruption Acts 1906 and 1916. Nevertheless, with the exceptions listed below, staff should decline any personal gift offered to staff, or to a member of your family, by any person or organisation having dealings with the Council. Any such offer should be reported to the Town Clerk.

14.2 When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to a place of work, there may be a problem returning it, in which case it should be reported immediately to the Town Clerk.

14.3 Exceptions

- Gifts of a token value given at Christmas, such as calendars, diaries, blotters, pens or other simple items of office equipment for use in Council offices, but only if it bears the company's name or insignia.
- Gifts of a promotional nature on the conclusion of a courtesy visit to a factory or company offices, of a sort normally given by the company to visitors.

15.0 Hospitality.

15.1 Offers of hospitality are a normal part of the courtesies of business life but in the public service it is important for staff to avoid creating an appearance of improper influence, thus undermining public confidence. Hospitality is sometimes offered to

representatives of the Council in an official or formal capacity. If hospitality is offered to staff as an individual employee, special caution is needed, particularly when the host is seeking to do business with the Council or to obtain a decision from it.

15.2 Staff must exercise the utmost care in dealing with contractors, developers, etc., who may stand to benefit from the goodwill of the Council. Staff should also be careful about attending exhibitions, seminars or visiting manufacturers, etc. There is an increasing trend towards linking such visits to, for example, a major sporting event, show or concert with a view to legitimising offers of hospitality. In general terms, it is more likely to be acceptable for staff to join in hospitality offered to a group, than to accept something unique. When a particular person or body has a matter currently in issue with the Council, for example, an arbitration arising from a contract, then clearly common sense dictates that offers of hospitality should be refused even if in normal times they would be acceptable. Hospitality offered by charitable or social organisations, usually in connection with an invitation to speak to the body, can be accepted. All offers of hospitality should be reported to the Town Clerk.

15.3 Checklist.

The question in all these cases is one of judgement, and the following checklist of queries should help staff to decide whether a gift or an offer of hospitality should be accepted or tactfully declined.

- Is the donor, or event, significant in the community?
- Are staff expected to attend because of their position in the community?
- Will the event be attended by others of a similar standing in the community or in other communities?
- What do staff think is the motivation behind the invitation?
- Would acceptance of the invitation be, in any way, inappropriate or place staff under pressure in relation to any current or future issue involving the Council?
- Could staff justify the decision to the Council, press and public?
- Is the extent of the hospitality or the nature of the gift reasonable and appropriate?
- Are staff likely to be expected to respond to the hospitality, and if so, how?
- Are staff comfortable about the decision?

16.0 Sponsorship - giving and receiving.

16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

16.2 Where the Council wishes to sponsor an event or service, neither an employee nor any partner/civil partner, spouse nor relative must benefit from such sponsorship in

a direct way without there being full disclosure to the Town Clerk of any such interest. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, staff should ensure that impartial advice is given and that there is no conflict of interest involved

17.0 Financial regulations.

17.1 All staff involved in financial activities and transactions on behalf of the Council, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders for works, goods or services must follow the Council's financial regulations. They must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the council.

Equal Opportunities Policy.

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1. PURPOSE AND SCOPE

1.1 In support of our value to respect others Llangollen Town Council considers equal opportunities as key. The Town Council is committed to the elimination of any form of discrimination in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding equal opportunities in the workplace

2.0 Responsibilities.

2.1 The responsibility for fulfilling this key policy lies not with specialist posts or committees, but with every Member and employee of the Council. It is an integral part of every aspect of the Council's operations. This means that management of equal opportunities in both employment and service provision forms part of the Council's normal management processes, i.e. with Committee, the office of the Town Clerk, and on a 'cascade' basis, through to personal aims and objectives.

2.2 The Town Council has adopted a Bullying and Harassment Policy which forbids bullying and harassment by employees and councillors. Grievance and Disciplinary procedures are in place in the event that bullying or harassment takes place. The Council is also committed to protecting employees from third party harassment, in line with the Equality Act (2010)

3.0 Legal position

3.1 The law on equality has been consolidated into the Equality Act 2010, which took effect on 1st October 2010.

3.2 The law prohibits discrimination on certain grounds. To discriminate against someone means to treat them less favourably, to harass or victimise them, or to subject them to a provision, criterion or practice which puts them at a disadvantage. This is unlawful if it is in certain grounds, known as "protected characteristics". These are:-

- Age.
- Race (including segregation) Religion or belief.

- Sex.
 - Sexual orientation.
 - Gender reassignment, which is protection for transsexuals, including less favourable treatment because of an absence related to reassignment compared to absence because of sickness or injury etc.
 - Disability, which is a physical or mental impairment which has (or is likely to have) a substantial effect on a person's ability to carry out day to day activities for a period of a year or more. Certain medical conditions are a disability from the outset, such as cancer, multiple sclerosis and HIV. Protection from discrimination covers a person who has had a disability in the past.
- 3.3 There is no unfavourable treatment if the "discriminator" did not know or could not reasonably have known the person had a disability. More favourable treatment of disabled persons is not disability discrimination of non-disabled people.
- 3.4 As well as the usual forms of discrimination, the Act protects people from unjustified discrimination 'arising in consequence of' a disability, which is very broad.
- 3.5 There is also a duty on an employer to make reasonable adjustments where a "provision, criterion or practice" puts a disabled person at a substantial disadvantage compared to non-disabled persons. Then a duty arises on the employer to take such reasonable steps as are necessary to avoid the disadvantage: to remove, alter or provide means to avoid a physical feature; to provide an auxiliary aid or service; or to adjust a working pattern or role etc. The adjustment must be made at no charge to employee.
- 3.6 Pregnancy and maternity: protection from discrimination applies during pregnancy from conception to the end of the maternity leave (either the two weeks compulsory maternity leave, Ordinary Maternity Leave or Additional Maternity Leave if the employee has the right to it). The protection is against discrimination because of pregnancy or maternity, or illness suffered as result of pregnancy; and discrimination because a woman is on maternity leave, or is exercising or seeking to exercise a right to take maternity leave. During pregnancy and maternity, discrimination cannot be sex discrimination. Discrimination on the grounds of pregnancy or maternity cannot be "justified".
- 3.7 Marriage and civil partnership: it is unlawful to discriminate against a colleague or employee on the ground that they are married or in a civil partnership. As previously, there is no protection of single people.
- 4.0 Defences to claims of discrimination
- 4.1 Certain types of discrimination (but not less favourable treatment) can be defended on the basis that they are "justified" as being a "proportionate means of achieving a legitimate aim". This means that the employer has a business need which the

otherwise discriminatory act is needed to fulfil (such as a rule that only male Prison Officers can hold certain posts as the role involves searching male prisoners, or offering a higher rate of pay to a highly-qualified and experienced individual). But the defence will only apply if there is no lesser measure the employer can put in place which is not discriminatory and which has the same impact in fulfilling the business need.

4.2 Employers are liable for the discriminatory acts of their employees done in the course of their duties. There is a defence available to employers, however, who can show that they took all reasonable steps to prevent the employee from carrying out the acts of discrimination. The reasonable measures will include equalities training, having clear Policies in place and consistent practices of disciplining employees for acts of discrimination etc.

5.0 Equal Pay

5.1 A sex “equality clause” is to be read into a term under which an employee and a comparator of the opposite sex are employed where the two people are employed in equal work (like work, work rated as equivalent in a job evaluation study or work of equal value). This means the term relating to pay or other benefit is amended to ensure the male and female have the same rights and terms.

5.2 This does not apply if the person responsible for their pay shows the difference is because of a material factor not involving sex and is a proportionate means of achieving a legitimate aim. A similar ‘sex equality rule’ is implied into pension schemes so that men and women are given equal terms.

5.3 And a ‘maternity equality clause’ takes effect during maternity leave so that a woman’s pay during maternity leave in certain circumstances is increased in line with those doing equal work who are not on maternity leave.

6.0 Employees protected by equality laws.

6.1 Those protected are employees and job applicants as well as contract workers. Discrimination and harassment is also unlawful if arises out of a relationship that used to exist. So former employees are also protected from discrimination, for example in terms of a job reference. Employers are under a duty to make reasonable adjustments for a former employee’s disability.

6.2 Employers also have a duty to take such reasonable steps as are necessary to prevent the third party from harassing an employee. The employer can, however, only be liable on the third occasion of harassment.

7.0 Recruitment.

7.1 An employer must not ask and act on answers about the health of an applicant before offering work except where this is necessary for:

- Establishing requirements or adjustments needed for an interview or assessment.
- Establishing the person's ability to carry out a function intrinsic to the work monitoring diversity or
- Checking the person has a disability which is required for the job.
- Contractual terms prohibiting discussions about pay

7.3 Any term in a contract of employment which prevents or restricts people from discussing or disclosing details about pay is unenforceable if the purpose of the restriction is to deter an employee from finding out whether he/she may have a discrimination claim.

8.0 Dual discrimination protection

8.1 Is discrimination because of a combination of two protected characteristics, known as "dual characteristics" such as sex and race. An employee can claim less favourable treatment than someone who does not share either characteristic. This does not apply to marriage and civil partnerships or pregnancy and maternity.

Grievances Policy.

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1.0 Purpose and scope.

1.1 The Town Council is committed to the elimination of any form of conflict in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding grievances in the workplace

2.0 Principles.

- 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 Town Council

3.0 Procedure.

3.1 Wherever possible, any grievance should be raised informally with the employee's line manager, or if this is inappropriate with the next level of management. In the case of the Clerk to the Town Council raising a grievance this should be directed to the Town Mayor of the Town Council unless the complaint is about the Town Mayor in which case another Member can be identified to handle the Clerk's concerns. The recipient of the grievance from a clerk should share the grievance with the personnel 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 their line manager, or if this is inappropriate to the next level of management.

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 personnel committee or hearing panel will arrange a meeting with the employee. The Hearing Manager 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 line manager on his/her complaint, s/he may appeal against the decision to the Town Mayor or other elected Member by written notice within five working days of 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.

3.6 On receipt of the appeal the Town Council's Appeals Panel shall arrange to meet and consult with the employee, the line manager 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 Town Council's Town Mayor has chaired the initial grievance meeting the Deputy Town Mayor will hear the appeal as a hearing manager the decision of the Appeal Hearing will be final. The Town 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.

4.0 Bullying or Harassment.

4.1 If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the employee's Line Manager, or 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 lodged by the Town Council through the Ombudsman in Wales.

5.0 Right to be accompanied.

5.1 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 an 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.

6.0 Confidentiality.

6.1 So far as is reasonably practicable, the Town Council will keep any grievance or complaint of harassment confidential between the manager 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.

7.0 Record Keeping.

7.1 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 Data Protection Act 1998

8.0 Grievances raised during Disciplinary

8.1 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 Town Council or individual Members.

Disciplinary matters should be placed on hold until grievances have been aired and actions towards a resolution have been progressed.

Health & Safety Policy

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1.0 Purpose and Scope.

1.1 In support of our value to respect others Llangollen Town Council considers the welfare of individuals as key. The Town Council is committed to the elimination of any form of potential harm in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding Health & Safety in the workplace

2.0 Health and Safety Statement of Policy and Implementation

2.1 The Council recognises and accepts its responsibility for the health, safety and welfare of its employees and the health and safety of any other person who may be affected by its activities so far as it is reasonably practicable. The Council also recognises that every accident, however slight, is a matter for concern and will actively promote health and safety at all times.

2.2 The Council further regards the promotion of health and safety as a mutual objective for all employees at all levels and in all activities. Importantly there is a need for constant alertness by managers, supervisors and employees in identifying potential hazards and removing or minimising them whenever practicable.

2.3 To this end it has been decided that in respect of Health and Safety the Council shall have the following objectives:

- To provide and maintain safe and healthy working conditions throughout the Council, taking into account all statutory requirements and specific European directives and legislation which may apply.
- To assess the risk to health and safety of its employees, by a systematic and organised approach to dealing with health and safety matters applicable to the Council activities.
- To carry out regular inspections of the workplace and to consult with employees on matters related to health and safety, thus ensuring that the requirements of the Consultation with Employees Regulations 1996 are fully met.
- To ensure that no process, plant or machinery, is introduced for Council or third party use unless it has been confirmed that any statutory testing or examination requirements have been carried out by a qualified person. It will

also be a requirement to establish, so far as is practicable, that the safety or health of employees will not be impaired in anyway by the operation of the plant and machinery.

- To make available to all employees all the necessary safety devices and protective equipment to ensure that all activities are undertaken in a safe manner.
- To provide proper and adequate training facilities in order to ensure that all employees are fully instructed in the safe working methods applicable to their jobs and on any equipment they operate.
- To ensure that all regulations made under the Health and Safety at Work Act (1974), and the associated codes of practice are fully complied with. 3.8 To improve progressively upon the levels of safety and health performance by the adoption of newly developed safety and health measures and codes of practice.
- To continually advise and keep employees informed of their duties and responsibilities under legislation.

3.0 Implementation of Health and Safety Policy.

3.1 The responsibility for implementing the Council's Health and Safety Policy and ensuring compliance with all relevant legislation is as follows:

3.2 Town Clerk – ultimately responsible for compliance with statutory requirements and the Council's Health and Safety Policy. Responsible for obtaining the necessary financial approval to enable a safety programme to be implemented and maintained.

3.3 Managers are responsible for ensuring that statutory requirements of Health and Safety are fully implemented in respect of the activity under their control, ensuring that safe systems of work are implemented, the instruction of staff in safe systems of work, provision and maintenance of suitable equipment for safe working and the maintenance of safe working environment and systems.

3.4 General Safety and Conduct of Employees.
Employees are reminded of their moral and legal responsibility for conducting themselves in such a manner in their work so as not to expose themselves or others to risk. To this end the Health and Safety Policy is a document that must be read, understood and implemented by all employees. A declaration by the employee must be read, understood and implemented by all employees. A declaration by the employee must be signed when the policy has been read and understood. Employees must not promote or participate in any action that may result in accident or injury.

3.5 Employees have a statutory duty to co-operate with the management in carrying out their duties with the object of producing and maintaining high levels of health and safety.

3.6 These can be achieved by:

- Should take responsibility for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work.
- Should co-operate with Llangollen Town Council to achieve a healthy and safe Workplace and report any health and safety problems that arise which they are unable to resolve themselves.
- Should carry out their duties in a way that does not adversely affect their own health and safety and that of others and to ensure that personal protective equipment is used at all times if required.
- Should not misuse any equipment provided in the interests of health and safety and their welfare.
- Should undertake any training and or instructions in health and safety related subjects to ensure that they are competent to carry out their health and safety responsibilities.

4.0 Arrangements for Health and Safety Systems and Procedures

4.1 Accidents.

It is the injured person's responsibility (if possible, given the nature of the injury or accident) to notify the Clerk/Deputy Clerk for recording in the accident book. Should the accident be reportable to the Health and Safety Executive this will be done by the Town Clerk.

4.2 First Aid.

First Aid boxes are sited in the e Council Office, the upstairs kitchen.

4.3 Safety Training.

All staff will be given training relating to evacuation procedures, accident procedures and availability of first aid. Other training will be carried out as the need arises and records kept.

4.4 Fire Precautions - Civic Suite and offices.

Fire procedures are displayed adjacent to each call point. The following steps should be undertaken by those responsible for the safety of the patrons within the building.

4.5 When smoke or flame has been discovered, the person who had observed the incident should immediately take steps to telephone the emergency services and evacuate the patrons from the venue. Efforts should be made to do this without delay, causing panic or confusion. The of visitors and Councillors should be informed of the danger and advised to leave by the nearest emergency exit immediately.

4.6 The staff member should attempt to account for all those present once evacuation has been completed and give full details to the Fire Service on their arrival. Evacuation should not be delayed by attempts to put out the fire.

- 4.7 In the event of a bomb threat, this will most likely originate from a warning, probably direct by telephone or by the discovery of a suspicious object; the only action to take for the protection of visitors and Councillors present within the venue is their immediate evacuation from the building.
- 4.8 Fire Precautions - Town Hall.
The following steps should be undertaken by those responsible for the safety of the patrons within the venue:
- 4.9 When smoke or flame has been discovered, the person who had observed the incident should immediately take steps to telephone the emergency services and evacuate the patrons from the venue.
- 4.10 Efforts should be made to do this without delay, causing panic or confusion. The patrons should be informed of the danger and advised to leave by the nearest emergency exit immediately.
- 4.11 The Hirer should attempt to account for all those present once evacuation has been completed and give full details to the Fire Service on their arrival. Evacuation should not be delayed by attempts to put out the fire.
- 4.12 In the event of a bomb threat, this will most likely originate from a warning, probably direct by telephone or by the discovery of a suspicious object; the only action to take for the protection of patrons present within the venue is their immediate evacuation from the building.
- 4.13 EVACUATION ROUTES
Subject to the numbers of the patrons within the venue warranting it, consideration must be given to ensuring that after evacuating from the Town Hall, people are directed away from the building to areas of safety.
- 4.14 To avoid a panic or crush situation arising from large numbers of patrons hurrying through a confined entrance/exit, the flow of people leaving the venue should be controlled in order to prevent congestion.
- 4.15 This would be best achieved through opening all emergency exits, having stewards at each exit to assist patrons with mobility difficulties and reassure patrons, and other stewards to escort patrons to the defined fire exits. Lifts must not be used for evacuation
- 4.16 Designated spaces are defined within the venue where non-ambulatory, or other patrons, who cannot use stairs will be guided to a safer part of the building. To wait for help from emergency services. The safe area is protected by fire-resisting construction and provides a safe route to the exit, as a stage of the evacuation.

- 4.17 Patrons evacuating the building by the main staircase should congregate in the following locations dependent on their escape route.
- Exiting by the main stairwell and entrance on Castle Street: the pavement in front of the Cenotaph.
 - Exiting by the side stairwell and ground floor fire exit: the steps of Y Capel.
 - Exiting by the stage door stairwell and stage door exit on Parade Street: the Museum Car Park.
- 5.0 Electrical Safety.
- 5.1 Equipment used in the Civic suite , Offices and the Town hall that is owned by the Town Council, its Tenants, volunteers or employees of tenants and hirers of any part of the Town Hall. This policy covers both new and existing single phase equipment up to 230 volts that is intended to be connected to a fixed installation or a generator by means of a flexible cable and plug.
- 5.2 The testing of the following should all be carried out by a qualified electrician.
- Equipment operating at voltages greater than 230 volts.
 - Equipment operating at currents in excess of 13 amps.
 - Equipment which is connected to a power supply through a spur or breaker box.
 - Fixed equipment/appliances that are fastened to a support or otherwise secured in a specific location.
 - Built-in appliances/equipment.
- 5.3 Personal Equipment.
Staff should be discouraged from bringing personal items of electrical equipment to work (e.g. radios, kettles and fridges). However, there may be circumstances when this is approved, in which case this equipment must be inspected and tested before use and then at intervals as specified in this Policy.
- 5.4 Equipment which fails the test must be removed from the respective premises. Where personal equipment is brought into the Town Hall by Staff or Tenants or Hirers then it must be tested as per this policy.
- 5.5 The Town Council is responsible for ensuring that equipment owned by the Town Council is tested in accordance with this policy. The Employer for each tenant is responsible for ensuring that equipment owned by them is tested in accordance with this policy. Each hirer is responsible for ensuring that equipment owned by them is tested in accordance with this policy.
- 5.6 Llangollen Town Council has adopted the definitions used in The Institute of Electrical Engineers (IEE) Code of Practice for In-service Inspection and Testing of Electrical Equipment (4th Edition) guidance. The IEE Code of Practice states, those carrying out the inspection and testing must be competent to undertake the

inspection and, where appropriate, testing of electrical equipment and appliances having due regard of their own safety and that of others.

6.0 Visual Display Units (VDUs)

6.1 All employees covered by the Health and Safety (Display Screen Equipment) Regulations 1992 (as amended) are to be provided with the Health Executive information and training booklet "Working with VDUs" about the correct use of computers, the positioning of desk, chair, monitor etc. All employees to be made aware that their employer will provide an eye test should it be required and may provide reimbursement towards glasses if the law provides.

7.0 Hazardous Substances.

7.1 Hazardous substances used are to be kept locked in a suitable cupboard. These plus other Hazardous Substances to be risk assessed under COSHH.

8.0 Risk Assessments.

8.1 Risk assessments to be carried out annually in the following areas:

- Civic suite and offices.
- Town Hall.
- Recreation ground.
- War Memorial.
- Royal Gardens.
- Pen y Bryn Cemetery.
- Bus shelters and street furniture.
- Chain Bridge.

9.0 Female Employees of Child Bearing Age

9.1 When an employee provides written notification (regulation 18 of MHSW) to the Town Council stating that she is pregnant, or that she has given birth within the past six months or that she is breastfeeding, the Town Council will immediately take into account any risks identified in their workplace risk assessment.

8.2 If that risk assessment has identified any risks to the health and safety of a new or expectant mother, or that of her baby, and these risks cannot be avoided by taking any necessary preventive and protective measures under other relevant health and safety legislation, then Town Council will take action to remove, reduce or control the risk. If the risk cannot be removed Town council must take the following actions:

- Temporarily adjust working conditions and/or hours of work; or if that is not possible
- Offer suitable alternative work (at the same rate of pay) if available, or if that is not feasible;

- Suspend her from work on paid leave for as long as necessary, to protect her health and safety, and that of her child.

10.0 Policy Review

- 10.1 This Policy will be reviewed and updated following any major changes in procedures, personnel or annually whichever occurs first. All risk assessments and training records to be kept available for inspection

Internet and Email Usage Policy.

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
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Next review date:	2017

1.0 Purpose and Scope

1.1 In support of our value to respect others Llangollen Town Council considers its obligations under the Data Protection Act as key. The Town Council is committed to the elimination of any form of potential harm in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding internet & email usage in the workplace.

2.0 Principles

2.1 Use of both the internet and email has increased for the Town Council and Town Council needs to ensure that it is used for the benefit of the Town Council and to minimize any risks. This is done by introducing an acceptable use policy (which is adhered to by everyone within the Town Council). Communications via email, and internet usage undertaken in the name of the Town Council or on Town Council systems carry inherent risks including potential defamation, the spreading of viruses, including Trojans which can steal data, breach of confidentiality, accepting files from sources in online chat rooms which could bypass firewalls or email filters, breach of contract, breach of copyright, breach of data protection legislation, breach of privacy and unlawful discrimination.

2.2 At the same time, Town Councils' right to monitor email and internet usage has to be done in accordance with the law, in particular the Data Protection Act 1998 and the Human Rights Act, as monitoring is usually intrusive and employees have a right to some privacy within the workplace.

3.0 Policy Coverage

3.1 This Policy makes it clear that the Town Council provides employees with email and internet access as required for the performance and fulfilment of job responsibilities and that therefore usage should be restricted to these activities. Employees are prohibited from using their own personal devices or software on Town Council owned systems, due to the risk of virus spreading.

3.2 Town Council will allow access to the internet or to email via the Town Council's systems for non-work related purposes. Examples of non-work related activities are, but not limited to, Internet Banking, travel arrangements, weather forecasting

etc. Employees must exercise their sensible judgment in these matters. Occasional and reasonable personal use of the Town Council's internet and email service is permitted, provided that this does not interfere with work performance or security.

40 Monitoring and Privacy Issues

4.1 The Data Protection Act does not prevent monitoring of emails and internet usage but it does set out principles for the gathering and use of personal information.

4.2 Care must be taken regarding monitoring private emails, for example in relation to occupational health or emails between an employee and their trade union representative. Care therefore needs to be taken when monitoring if emails are clearly personal and such clearly personal emails should not be opened.

43 Town Councils are subject to Article 8 of the Human Rights Act. This creates a right to respect for private and family life, and therefore Town Council needs to take care to ensure that any monitoring is not excessive.

4.4 Town Council should also warn the employee that if monitoring identifies potential breaches of the Policy this may lead to formal disciplinary action and make it clear that serious breaches may amount to summary dismissal for gross misconduct.

5.0 Email Etiquette

5.1 It is important to set the parameters in relation to email usage. Such guidance includes:

- Agreed email signatures;
- Appropriate business language;
- Waiver clauses at the end of each email message;
- Prohibition on circulating offensive, indecent or obscene material or anything which breaches the Equal Opportunities Policy;
- Rules regarding confidentiality
- Dealing with attachments and size of documents;
- How much personal email is acceptable;
- Double checking the recipient's address is correct;
- Checking whether applying "to all" is appropriate;
- Guidance on saving, filing and photocopying emails.

6.0 Unacceptable behaviour on the Internet

6.1 This Policy sets out what is deemed unacceptable use or behaviour by employees and this includes:

- Allowing non-authorized users to access the internet using employees log in or while logged on;

- visiting internet sites that contain obscene, hateful, pornographic or otherwise illegal material;
- passing on such material to colleagues or external people;
- using the computer to perpetrate any form of fraud, or software, film or music piracy;
- using the internet to send offensive or harassing material to other users;
- downloading commercial software or any copyrighted materials belonging to third parties, unless this download is covered or permitted under a commercial agreement or other such licence;
- hacking into unauthorised areas;
- publishing defamatory and/or knowingly false material about the Town Council, its employees, members, your colleagues and/or our customers on social networking sites, 'blogs' (online journals), 'wikis' and any online publishing format;
- undertaking deliberate activities that waste staff effort or networked resources;
- introducing any form of malicious software into the corporate network;
- gambling on-line;
- disclosure of any confidential corporate information without express consent;
- any other area that the Town Council reasonably believes may cause them problems

7.0 Social Media

7.1 Employees are to be made aware that entries entered on such media which have a detrimental impact on the Town Council or colleagues may lead to formal disciplinary action. They should also be prohibited from naming the Town Council they are employed by on such sites or discussing internal Town Council matters on such sites. Accessing such sites for personal use is also prohibited during working hours.

8.0 Consequences of Breaches.

8.1 Town Council policies make it clear the potential consequences of breaching their rules on email and internet usage. If an offence is very serious, it is clear that serious breaches may be treated as gross misconduct. Apart from disciplinary action this could include withdrawing access to the internet for private purposes during work time.

Lone Working Policy.

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1.0 Purpose and Scope

1.1 In support of our value to respect others Llangollen Town Council considers the safety of individuals as key. The Town Council is committed to the elimination of any form of potential harm in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding lone working in the workplace

2.0 Principles

2.1 Under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999, employers have a legal obligation to look after the health, safety and welfare of their employees and contractors.

2.2 Employees may be required to work by themselves from time to time. Lone workers are those employees who, at any time, work by themselves in the office, in clients' premises or other locations away from the office.

2.3 This may be in Town Council premises, outside on site or on work related travel. Examples could include opening and closing public amenities, being based in a location away from other colleagues, working late in the office, visiting members of the public or outside contractors. Lone working may present a risk to the employee. Typical risk factors include having an accident, being exposed to violence, drunken or threatening behaviour, indecent exposure or coming across attempted criminal activity, such as a burglary.

2.4 The Town Council must adopt a policy on Lone Working in order to:

- Increase employee awareness of safety issues relating to lone working;
- Ensure that the risk of lone working is assessed in a systematic and ongoing way, and that safe systems and methods of work are put in place to reduce the risk so far as is reasonably practicable;
- Ensure that appropriate training is available so that employees are able to recognise risk and to provide practical advice of safety when working alone; and

- Encourage full reporting and recording of any incidents relating to lone working.

3.0 Employer Responsibilities

3.1 Appropriate line managers should have overall responsibility for:

- ensuring that there are arrangements for identifying, evaluating and managing risk associated with lone working;
- providing resources for putting the policy into practice;
- ensuring that there are arrangements for monitoring incidents linked to lone working and that they regularly review the effectiveness of the policy;
- ensuring that all employees are aware of this policy;
- ensuring that risk assessments are carried out and reviewed regularly, putting procedures and safe systems into practice which are designed to eliminate or reduce the risks associated with working alone;
- managing the effectiveness of preventative measures through an effective system of reporting, investigating and recording incidents.(Panic buttons are installed in both offices which are connected to the police should any member of staff feel threatened)

3.2 The Policy should encourage employees to take responsibility for:

- taking reasonable care of themselves and others affected by their actions;
- co-operating by following rules and procedures designed for safe working;
- keeping the manager up to date regarding their meeting times, location and contact details and making any amendments as soon as they occur;
- reporting all incidents that may affect the health and safety of themselves or others and asking for guidance;
- taking part in any training designed to meet the requirements of the policy;
- reporting any dangers or potential dangers they identify or any concerns they might have in respect of working alone.

4.0 Risk Assessments

4.1 A risk assessment should be carried out for and by all employees who are going to be working alone. Risk Assessments for workers working alone in a building or at a particular site would include:

- safe access and exit points;
- risk of violence;
- safety of equipment for individual use;
- channels of communication in case of emergency (for example, mobile telephone or emergency contact details);

- site security;
- security arrangements i.e. alarm systems.

4.2 Risk Assessments for mobile lone workers must include:

- a risk assessment each time a visit is planned;
- whether there have been any changes to the planned visit;
- travelling between appointments (e.g. if using a car, what procedure is in place if there is a breakdown; is there a health and safety kit on board?);
- reporting and recording arrangements (e.g. address of meeting, name of person, time of appointment, approximate finish time, contact telephone number);
- communication and traceability (e.g. what method of communication is to be used and who is the lone workers going to communicate with?);
- personal safety/security;
- any health issues/concerns.

4.3 Following the risk assessment, consideration should be given to any appropriate action required.

5.0 Incident reporting

5.1 An incident can be defined as an unplanned or uncontrolled event or sequence of events that has the potential to cause injury, ill health or damage. All incidents must be reported to the appropriate line manager. Employees should ensure that all incidents where they feel threatened or unsafe (even if this is not a tangible event/experience) are reported. This includes incidents of verbal abuse. It is a good idea to remind employees that they should dial 999 if they need emergency assistance whilst out and about

6.0 Specific arrangements.

6.1 If a member of the office staff is working alone then office doors are to be kept locked. Access to a telephone to summon help is available to summon help.

6.2 Outside of office opening hours the outside office door is to be kept locked.

6.3 All visits to outside organisations or individuals must be detailed and return times included.

6.4 Any visits to a person's home must not be undertaken alone and all details kept about that meeting.

Recruitment and selection procedure

Owner:	Town Clerk.
Approved by:	Town Council.
Date:	2016.
Version Number:	1.0
Status:	Draft
Review Frequency:	Every 1 year
Next review date:	2017

1.0 Purpose and Scope.

1.1 Llangollen Town Council aim to use the most appropriate tools and processes available for recruitment and selection purposes in order to attract and appoint the most suitable candidate into a role.

1.2 The Council is an Equal Opportunity Employer and will always seek to recruit the person most suited to the job in question, irrespective of Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Marriage and Civil Partnership or Pregnancy and Maternity. Those involved in the recruitment process must be aware of the Council's Equal Opportunities, Equality and Diversity and Data Policies. Any queries should be addressed to the Assistant Llangollen.

1.3 Implementation of this policy is the responsibility of the Llangollen, Assistant Llangollen and line-managers where specified.

2.0 Definition of Terms

2.1 Job Description

A job description sets out the main purpose of the job and how it fits into the organisational structure and objectives of the Council. It contains the principle accountabilities of the job, outlines the context of the position and contains other relevant information. It forms the basis for pre-selection and the formation of the person specification.

The job description should be reviewed regularly with the employee and up-dated to reflect changing needs. The best time to do this is as part of the SDP/performance development process.

2.2 Person Specification

A person specification defines the attributes, knowledge, skills, experience and qualifications required to fulfil the role. It is compiled from the job description. The elements contained within the person specification will be on the basis of job requirements. Job requirements that affect certain individuals more than others or that restrict the opportunities open to certain groups more than others will only be those that are necessary for the effective performance of the job and can be objectively justified.

2.3 Interview

A discussion process between interviewer(s) and candidate for the purpose of assessing whether the candidate is interested in the job and capable of doing it. The interview is structured around key criteria for the job, this is likely to be a combination of technical and behavioural areas. At the interview there will be an opportunity to explain the responsibilities of the job and to promote the Council.

3.0 Equal Opportunities within Recruitment and Selection

3.1 Every possible step is taken to ensure that individuals are treated equally and fairly and that decisions on recruitment, selection and promotion are based solely on objective and job related criteria. Recruitment must be undertaken in accordance with the Equal Opportunities Policy, so that there is no unlawful discrimination.

3.2 It is currently unlawful to discriminate against a person on grounds of age, sex, race, disability, sexual orientation or religion or belief:

- In the arrangements made for offering a job
- In the terms on which employment is offered
- By refusing to offer, or deliberately not offering a person employment

3.3 It is also unlawful to discriminate against a part-time employee by giving them less favourable terms than a comparable full-time employee.

4.0 Monitoring and Positive Action

4.1 All selection criteria and interview records must be retained for at least 12 months in order to demonstrate a fair and consistent process was followed. The composition of the workforce and of job applicants are monitored on a yearly basis, if inequalities become apparent, positive action, within the parameters of existing legislation and the resources of the Council, is taken to redress the imbalance. Such measures include encouraging under-represented groups to apply for vacancies.

4.2 Selection is based on skills and/or qualifications and the demonstrated or assessed ability to perform within the post. It is accepted that an applicant with a disability may need

reasonable adjustments to be made for their full employment potential to be realised and this does not adversely affect the individual's opportunity to be recruited or promoted.

5.0 Recruitment Procedure

5.1 This procedure provides guidelines for recruitment and should be followed once it is established that recruitment is necessary.

5.2 Filling the Vacancy

Prior to beginning the recruitment process the Manager will review the job description for the vacancy. If it is a new position or the job content has changed, then a new job description should be drawn up. The Manager should identify the essential characteristics required for the successful candidate, using the person specification. The Person Specification identifies key skills, qualifications, experience, competencies and any other relevant information necessary for the job.

5.3 The inclusion of unnecessary/marginal requirements can lead to discrimination, as can blanket exclusions. Any health requirements must be justifiable. Only put in what is genuinely required for the job and be as clear and as specific as possible. Consideration should be given to allowing the work to be done as a job share or part time hours. All vacancies should be advertised internally and externally at the same time.

5.4 The Human Resources Committee under delegated powers must approve any vacancy prior to this being advertised in accordance with the Terms of Reference.

5.5 Planning the Recruitment Process

- Once the job description and the person specification are complete the recruitment process needs to be planned. Recruitment by its very nature can be a lengthy and expensive process. Realistic timescales should be considered when drawing up the plan.
- Where appropriate a recruitment agency will be used by the Council and the following process may be adapted where this is the case, although the Council will still make an appointment on the objective merits of the candidate only.
- If the vacancy is for a senior Council staff member, a member of the Human Resources Committee must form part of the recruitment and selection panel.
- Recruitment for posts on the Council's Leadership Team, i.e. management or supervisory roles will require a member of the Personnel Committee being invited onto the recruitment panel.
- In all other instances a Manager and an appropriate work colleague e.g. another manager or an appropriate person in that department can complete this process.

5.6 Administration

Where appropriate, depending on whether a recruitment agency is used or not, a job pack should be sent to each potential candidate. This should include:

- Job description
- Person specification
- Equal opportunities form

- Application form

5.7 The Panel commit to ensuring that all candidates are kept informed as to the status of their application in a timely manner. Applicants should be given the opportunity to declare whether they have a disability and whether they would require any reasonable adjustment(s) to be made to the interview process.

5.8 Interviewers must also be aware of making assumptions and if unsure about a disabled applicant should refer to SLCC for advice.

6.0 Recruitment

6.1 Recruitment should be carefully targeted to attract applicants most likely to meet the job requirements. It may include the use of recruitment agencies, job centres, advertising in colleges, local newspaper advertising, etc.

6.2 Where a recruitment agency is not used, applicants should apply by application form. CV's are only acceptable if accompanied by an application form. A clear deadline for receipt of all applications should be set.

6.3 In some circumstances it will be necessary to make a reasonable adjustment in relation to a disabled applicant's application.

7.0 Short listing Procedure

7.1 The short listing procedure is used where the post is advertised. Once the deadline for all applications has passed the Panel will assess all applicants against the person specification. A shortlist is drawn up of those who meet the specification. A grid system is used to short list. They will then discuss their own short lists and come to agreement about the definitive shortlist. Shortlisted candidates are then invited to interview.

8.0 Interviews.

8.1 Interviews should be structured around the job description and a record of the discussion is made. It is also an opportunity for the candidate to ask about the position and the Council. A minimum of two persons will conduct the interviews. Individuals should be assessed against the person specification. The short listing form can be amended for this purpose and a weighting system used. It is important that all assessments are made against existing evidence.

9.0 Qualification Check

- 9.1** If required, original certificates are requested at interview together with a copy for the Council' records.

Evaluation Session

At the end of the selection process the interviewer(s) evaluate all assessment information gathered on each candidate. Candidate results are considered against the person specification for the position. The evaluation process is objective and structured in order to identify the most suitable candidate for the position.

10.0 Unsuccessful Applicants

- 10.1** Where the post has been advertised, all candidates receive a letter or telephone call informing them of the decision not to appoint them. For candidates who performed well their details may be kept on the files for future vacancies if they consent to this. The Manager can provide constructive feedback via the telephone if requested by an applicant.

10.2 The Successful Applicant

The Manager or Panel will decide on the detail of the offer. The terms and conditions offered should not discriminate against any individual.

11.0 Making the Offer

- 11.1** A conditional offer letter is prepared clearly outlining the terms and conditions of the proposed employment. This offer is subject to satisfactory qualifications, references and right to work in Great Britain. The successful applicant is made aware of these conditions.
- 11.2** The Council will seek employer references and where relevant, verify qualifications (if not available at interview) before the offer of employment is confirmed. All candidates will be asked to provide evidence of entitlement to work in the United Kingdom. When satisfactory responses are received for qualifications, right to work and references the successful candidate is given a formal contract of employment. If unsatisfactory responses are received the offer of employment is reconsidered.

12.0 Induction

12.1 Induction of new employees is essential. This includes basic induction of terms and conditions of employment, information about the Council, Council policies and procedures. Both new employees and those changing roles within Llangollen Town Council (“the Council”) should undertake an induction programme to help them understand their role and how they contribute to the Council’s success.

12.2 The Town Clerk will be responsible for compiling the induction programme and ensuring that it is kept up to date and for the induction being carried out.

13.0 New employees

13.1 For new employees a programme for the first day is important and should include:

- a meeting with their line manager
- introductions to work colleagues (direct and indirect)
- matters such as health and safety, provision of keys, id badge etc.

13.2 The broader organisation of the Council should be scheduled into the programme, but on an “As soon as is practical” basis, and certainly within the first month. It is important to strike a balance between overloading a new employee with too much information and leaving them feeling neglected and abandoned.

14.0 Employees changing roles

14.1 In cases of employees transferring roles they should meet with their new line manager on their first day in the new role to discuss if additional induction/training is necessary to help them fully understand their new responsibilities. It may be agreed that a formal training plan is created. Additional induction requirements should be covered within the first week in the new role with training being undertaken as appropriate.

15.0 The Induction Process

- 15.1** Irrespective of the new employee's job level, they should be familiarised as quickly as possible with the function, policies and procedures within the Council. This is achieved through discussions with the key members and staff and the completion of the full induction programme and checklist (see Appendix)
- 15.2** On receipt of completed induction programmes the Town Clerk will issue an evaluation form to gain feedback on the induction process, the results of which will be assessed for effectiveness and, if necessary, further induction will be arranged. Feedback which consistently relates to a specific area of the induction may result in a revaluation of the programme or, if necessary, a review on how the particular area can be improved.
- 6.0** Progress reviews
- 16.1** The Town Clerk should continue to meet with the new joiner on a regular basis to discuss performance, ability and development needs. Records from each meeting should be made and a copy put in the employee's personal file.

Appendix

Example Induction Programme

Dear <Insert Name>

We would like to welcome you to Llangollen Town Council, where you will be working within the Town Council office, your line manager will be <Insert Name>, Town Clerk.

This document, along with the attached Induction Checklist, forms part of your initial starting period. By working through them you will gain a better understanding of the way the

Council works, whilst meeting Members as well as staff. As you complete the checklist please make sure that you sign to indicate that you have received the training.

Your first meeting will be with the Town Clerk who will:

- Discuss the exact nature of your role, as well as matters on the induction checklist
- Introduce you to colleagues
- Cover Health & Safety matters on the induction checklist including the requirement that employees have a responsibility to co-operate to achieve a healthy, safe workplace and to take care of themselves and others.

Subsequent meetings will be arranged to discuss:

- Denbighshire County Councillors for Llangollen
- Elections
- Powers & Duties What the Town Council does, how it is organised and who it services
- Staff Organisation
- Councillors and Committees
- Councillors, Chairperson and Vice Chairperson
- Council Committees, Sub-Committees and working groups

Town Clerk, who will cover Finance and HR matters on the induction checklist.

Confirmation that this induction programme has been received and understood (a copy may be retained if required)

Yours faithfully.

Clerc y Dref a Swyddog Cyfrifol Ariannol,
Town Clerk and Financial Responsible Officer

Appendix 3

Example Induction Checklist – <Insert Name>

Areas to be covered <i>amend as applicable)</i>	To be covered by	Singed/Date
Tour of the Offices:		
Fire Exits	Line Manager	
Fire Procedures	Line Manager	
Location of Extinguishers	Line Manager	
Photocopiers / Recycling	Line Manager	
WC's, Kitchen	Line Manager	
Issuing of office keys	Line Manager	
Office Alarm System	Line Manager	
ITC and Data Protection:		
Rules regarding password use	Town Clerk	
User ID / log on to computer	Town Clerk	
Email / Internet: <i>Including use official email signature</i>	Town Clerk	
TC Contacts Database: <i>Use and regulations</i>	Town Clerk	
Health & Safety Matters:		
General Health & Safety	Line Manager	
Office Safety Manual	Line Manager	
First Aid Boxes	Line Manager	
Accident Reporting:	Line Manager	
Departmental Matters:		
Breaks: tea/lunch/cigarette etc.	Line Manager	
Security of personal items	Line Manager	
HR Matters:	Line Manager	
Annual leave / <i>Requesting / recording</i>	Line Manager	
Sickness / <i>Absence/Notification / recording</i>	Line Manager	
Pension Scheme Information	Line Manager	

Policies & Procedures	Line Manager	
Finance Matters:		
Bank Details / P46 <i>If not already submitted</i>	Town Clerk	
Pay Procedures	Town Clerk	
Expense claims	Town Clerk	
Sales & Purchase Ledger	Town Clerk	
Budgets	Town Clerk	
Management / Financial Accounts	Town Clerk	

Completed checklists to be returned to the Town Clerk (copy may be retained by new starter if requested)

Staff Absence Policy.

Owner: Town Clerk.
Approved by: Town Council.
Date: 2016.
Version Number: 1.0
Status: Draft
Review Frequency: Every 1 year
Next review date: 2017

1. Purpose and scope

1.1 In support of our value to respect others Llangollen Town Council considers the welfare of individuals as key. The Town Council is committed to the elimination of any form of potential harm in the workplace. The purpose of this policy is to provide a corporate policy framework for regarding staff absences in the workplace

2.0 Policy Framework.

2.1 This policy provides a framework to assist in:-

- Dealing with sickness and absence objectively and reasonably
- Being consistent
- Exploring remedies which will assist the individual as well as assisting management and staff in providing an effective service
- Compliance with relevant legislation.

2.2 The policy and procedures set out are implemented against a background of monitoring sickness absence trends amongst staff and identifying potential problems at an early stage.

2.3 Absence problems fall into two main categories:-

- Frequent and persistent short term absence
- Longer term absence due to ill health

2.4 In all cases it is essential that appropriate medical advice is sought to determine if the absence is due to an underlying medical condition or, in the case of long term absence, to obtain a medical opinion on the likely prognosis.

2.5 Where there are reasonable grounds to believe that an individual is abusing the procedure or regulations for sickness absence disciplinary action will be considered in accordance with the Council's disciplinary procedures.

- 2.6 The Council accepts that matters involving the ill health of individuals require sensitive handling and any information relating to the health of an individual will be treated with the utmost confidence. All employees will receive a copy of this Policy Statement together with details of the procedures and form for notifying any episode of sickness absence.
- 3.0 General Procedure for Notification of Sickness Absence
- 3.1 Authorised Absences
All periods of absence are to be recorded by the appropriate line manager on the appropriate forms. Prior authority must be obtained for any period of absence during office hours.
- 3.2 Absence for such matters as personal medical or dental appointment must be timed to ensure minimum disruption to the office otherwise than in an emergency situation.
- 3.3 Absences to care for sick relatives or friends should not normally be taken without prior authority and, in serious cases, may amount to compassionate leave (See policy on Special Leave)
- 3.4 Although each case will be dealt with on its merits, frequent short term absences may be deemed to amount to “incapability” and thus activate the capability policy.
- 4.0 Sickness Absences
- 4.1 On the first day of sickness absence; the employee must inform the appropriate line manager stating the reason for their absence, the likely date of their return to work and when they became unwell. The employee should ensure that they make contact as soon as possible, and certainly no later than one hour after their usual start time. Failure to report their sickness as above may result in loss of occupational sick pay. If the employee is too ill to be able to make contact personally, then a phone call from a relative or friend will suffice.
- 4.2 On the fourth day of sickness absence; a further contact is required (as above) to notify the appropriate line manager of the continuing sickness absence. Should the fourth day of absence fall on a non-working day, then contact should be made on the next working day. For example, if the employee reports sick on Friday, they need make contact on Monday. Failure to report continued sickness may result in loss of occupational sick pay. Please note: Saturdays, Sundays, Bank Holidays, Extra Statutory days etc., are included)

4.3 After more than seven days of sickness absence (note: including non-working days) the employee must visit their doctor immediately (if they have not already done so) and submit a medical (fit) certificate to the appropriate line manager.

5.0 Continuing sickness.

5.1 The employee must continue to submit a medical certificate (as above) each time their doctor certifies them unfit for work. If they are absent for more than fourteen days, they must obtain a declaration from their doctor before they return, stating that they are fit for work. Additionally, they must complete a "Statement of Absence Form".

6.0 Persistent Short Term Sickness.

6.1 The procedure for the effective monitoring and control of persistent short term sickness absences is as follows:

- Employee's absence records must be monitored by the appropriate line manager to ascertain if any employee has been absent due to sickness for a total of five working days or on three separate occasions in any period of three months.
- Upon the return of the employee from sick leave, the appropriate line manager must investigate promptly the reason for the absence (i.e. health, welfare or conduct).
- The employee's record will be kept under review during the next three months (the employee must be informed accordingly) and if still poor, an interview should be arranged where the employee should be given an opportunity to discuss the situation. The employee will be informed of his or her entitlement to have a trade union representative present if they wish.

6.2 Once the cause has been ascertained the remedy may become apparent. If the problem is of a disciplinary nature, one of two courses of action should be taken:

- Defer action for a further specified period during which
- The employee will be required to produce medical certificates for every absence, the cost of which may be refunded.
- Refer the employee for a medical examination by an Occupational Health Physician.

6.3 The medical will be held in working hours wherever possible. However, time off in lieu will be given to anyone who has to attend in their own time. Failure to attend such a medical without giving at least 48 hours prior notification may result in the cost of the medical being charged to the employee.

6.4 A continuation of a poor sickness record following confirmation that the employee is fit for work may result in action being taken under the agreed disciplinary policy.

7.0 Long Term Sickness.

7.1 The procedure for the effective monitoring and control of long term sickness absences is as follows:-

7.2 Once an employee has been absent due to illness for four weeks he or she must be sent the appropriate form by the appropriate line manager Town Council requesting their consent to the Town Council obtaining a Medical Report from an Occupational Health Physician and permission for an Occupational Health Physician to approach their General Practitioner or Consultant.

7.3 In the event that the employee is deemed to be permanently unfit the Occupational Health Physician will provide a Certificate of Incapacity for work together with brief details of the nature of the illness (where this is not detrimental to the employee)

7.4 Upon receipt of the Occupational Health Physician's Certificate of Permanent Unfitness the appropriate line manager must:

- arrange for a member of staff to visit the employee's home or ask the employee to visit the office;
- advise the employee of the Occupational Health Physician's decision or opinion concerning their medical condition and the fact that their condition renders them permanently unfit for their normal duties and responsibilities;
- consider the possibilities of redeployment (if appropriate) or advise the employee of the decision that their employment is to be terminated with the reason
- advise them of their rights of appeal
- deal with any holiday or pay enquiries
- advise them of the employer's intention to arrange a formal interview approximately two weeks later

7.5 At the formal interview the employee must be fully informed of their rights of appeal. The employee must also be informed that if their family doctor disagrees with the Occupational Health Physician's decision that arrangements could be made for an independent medical examination to take place.

8.0 Scale of Allowance.

8.1 An employee absent from duty owing to illness shall be entitled to receive an allowance based on the National Joint Council or Local Government Services National Agreement on Pay and Conditions of Service sickness scheme.

During 1 st year service	1 months full pay and (after completing 4 months service) 2 months half pay
-------------------------------------	--

During 2 nd year service	2 months full pay and 2 months half pay
During 3 rd year service	4 months full pay and 4 months half pay
During 4 th year service	5 months full pay and 5 months half pay
After 5 years' service	6 months full pay and 6 months half pay

- 8.3 If the employee is not entitled, or has exhausted their entitlement to SSP, they must continue to forward medical certificates. These will be forwarded to the DWP. The employee should also complete form SSP1. When benefit is received a copy of the employee's entitlement notice must be forwarded to the Town Clerk.
- 9.0 Return to work.
- 9.1 For any period of sickness absence the employee must complete and sign a Statement of Absence Form, which is obtainable from the appropriate line manager covering the whole period of absence (including Saturdays, Sundays, Bank Holidays, Extra Statutory days etc.)
- 9.2 The information provided on this statement will confirm the employee's entitlement to sickness payment and failure to complete the form will result in adjustments to their sickness pay entitlement.
- 9.3 When returning to work after an absence (other than authorised leave) the employee will be required to complete the appropriate form.
- 9.4 The appropriate line manager will conduct a return to work interview to discuss the reason for absence. This is to ensure that all absence is reported and recorded so that the Town Council has a clear picture of sickness absence, both individually and departmentally, and is able to respond to any problem.
- 9.5 All aspects of sickness absence will be dealt with in a caring and sympathetic manner.
- 9.6 If there is reasonable concern over the level of an employee's sickness absence, he/she will be asked to discuss the matter with the appropriate line manager. He/she may be accompanied by a trade union or other representative if they wish. Concern for the employee's health and the needs of the organisation will be borne in mind.
- 9.7 All medical information about the employee will be treated confidentially by the Town Council on a strict need to know basis. It is recognised that the employee may find it difficult or embarrassing to discuss medical issues which will be treated in a sensitive manner. Decisions can only be made on the basis of information available and, therefore, it is generally considered in the best interests of employees to avoid delaying or withholding information unnecessarily. Any employee can approach the Town Council for advice.