



# **Employee Handbook**

## **Welcome and Introduction**

Cycling Projects Limited (operating as “Wheels for All”) is the largest provider of inclusive cycling opportunities in the country, celebrating over 30 years of activity and engagement enabling people of all ability to enjoy the benefits of being active through cycling. The charity is recognised nationally for delivering innovation, impact, reach and behaviour change for people who have not had the opportunities to be active. We strive to reach more people and empower those already engaged in our services to go further and push the boundaries, weaving activity into life for the long term.

Our strength as a charity is due to the skills and abilities of colleagues like you. We look forward to a long and successful working relationship with you and sincerely hope that your time with us is enjoyable and rewarding.

The charity is proud of its achievements to date, and now we are entering a period of growth and expansion across the country delivering more programmes and creating more opportunities for people to be active, and ultimately weave it into lifestyle. Key to this effective engagement is the energy, dedication and passion of staff, volunteers and board members to make a difference. Therefore, it is crucial that we are working against a set of standards that underpins the structure of the charity

### **This Handbook**

The Employee Handbook is designed to explain the way in which we work and to set out the key procedures, rules and policies designed to ensure an efficient workplace and a safe and supportive environment for all employees. The contents of this handbook do not form part of the terms of your contract of employment unless otherwise stated. The Charity may need to alter or amend any policy or procedure contained in this handbook to ensure that it remains relevant and consistent with the needs of the business. Any such change will be notified to all employees and an up-to-date copy of this handbook can be obtained from the staff sharing area online.

We do expect you to comply with the requirements set out in this handbook and failure to do so may lead to disciplinary action; in appropriate cases, up to and including dismissal.



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# 1 KEY PRINCIPLES

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*This section sets out some of the key commitments made by the Charity to its employees – and the key commitments expected from employees in return.*

## 1.1 Charity Code of Conduct

The behaviour of employees is central to the continued success of the Charity. This handbook sets out a number of requirements aimed at ensuring the smooth running of the Charity and the fair treatment of all employees. A number of these are so important that any breach of them will amount to gross misconduct and these are clearly identified throughout the handbook. Your attention is drawn in particular to the following:

- The rules on gifts and hospitality;
- The policy on smoking;
- The policy on alcohol and drugs;
- The policy regarding social media; and
- The rules concerning the use of computers, the internet and email;

## 1.2 Health and Safety

The primary duty owed to you by the Charity is to ensure that you are safe while you are at work. Similarly all employees are obliged to carry out their duties in a safe and responsible manner that does not risk harm to either themselves, their colleagues or any other person.

A detailed health and safety policy/handbook identifying the roles and responsibilities of key staff members for ensuring that the Charity meets its commitment to health and safety is available from your line manager. In addition there is information on health and safety displayed throughout our premises.

Detailed risk assessments have been carried out on all aspects of the Charity's activities and steps have been taken to ensure that all work can be done safely. Any employee who is concerned that any aspect of the Charity's activities poses a risk to health and safety should report this to the nearest available manager immediately. Genuine concerns about health and safety will always be treated with the utmost seriousness and be thoroughly investigated.

Employees are required to comply with all instructions rules and procedures concerning matters of health and safety. Failure to do so may amount to gross misconduct. In particular, where employees are required to wear personal protective equipment then failure to do so will be treated as gross misconduct which will usually result in dismissal.

## **1.3 Ethical Conduct**

The Charity aims for the highest possible standards of ethical conduct in all of its activities and expects the conduct of individual employees to reflect this. Dishonesty of any kind will be treated as a serious matter, which may amount to gross misconduct and therefore to dismissal without notice.

### **Gifts and Hospitality**

The acceptance of gifts and hospitality from clients/customers, suppliers and potential suppliers must not give the appearance that employees or the Charity may be unduly influenced in the decisions that they make in respect of clients/customers, suppliers or in any other aspect of their work.

All gifts and hospitality given or received, of whatever value, must be entered in the Register kept by the management team.

No personal gifts of a value in excess of £10 should be accepted from a client/customer, supplier or potential supplier without express permission from your line manager.

Acceptance of hospitality, such as lunch or drinks receptions, should be kept within common sense limits and should always be authorised by your manager. Offers of hospitality must always be authorised by your manager.

You may also be instructed to return any gifts which your manager considers to be inappropriate, or to refuse to accept hospitality from a particular supplier or potential supplier. Failing to obey such an instruction will be treated as misconduct.

Allowing gifts or hospitality to influence any purchasing/business decisions that you may make on behalf of the Charity or to otherwise influence the way in which you perform your duties is an act of gross misconduct which will usually result in dismissal.

It is also an act of gross misconduct to seek to influence any other person to behave in an improper way or to confer a business advantage on you or the Charity through the giving of any gift or hospitality.

### **Bribery**



**Bribe** means a financial or other inducement or reward for action which is illegal, unethical, a breach of trust or improper in any way. Bribes can take the form of money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or any other advantage or benefit.

**Bribery** includes offering, promising, giving, accepting or seeking a bribe.

All forms of bribery are strictly prohibited. If you are unsure about whether a particular act constitutes bribery, raise it with your manager.

Specifically, you must not:

- give or offer any payment, gift, hospitality or other benefit in the expectation that a business advantage will be received in return, or to reward any business received;
- accept any offer from a third party that you know or suspect is made with the expectation that we will provide a business advantage for them or anyone else;
- give or offer any payment (sometimes called a facilitation payment) to a government official in any country to facilitate or speed up a routine or necessary procedure;

You must not threaten or retaliate against another person who has refused to offer or accept a bribe or who has raised concerns about possible bribery or corruption.

If you are offered a bribe, or are asked to make one, or if you suspect that any bribery, corruption or other breach of this policy has occurred or may occur, you must notify your manager or report it in accordance with our Whistleblowing Policy by notifying your manager or another member of management, as soon as possible.

## 1.4 Whistleblowing

The Charity encourages employees to raise any concerns that they may have about any wrongdoing at any level within the business. Wrongdoing in this context means any breach of a legal obligation, risk to health and safety, a criminal offence being committed, a miscarriage of justice occurring or likely to occur or damage to the environment, a relevant failure relating to the proper administration of charities and funds given, or held, for charitable purposes, or an attempt to conceal any of the above.

Employees who raise a concern are entitled not to be subjected to any detriment as a result, provided that the employee –

- reasonably believes that the subject of the disclosure is in the public interest; and
- reasonably believes that the information disclosed and any allegation contained in it are substantially true

Any initial concern should be raised with your line manager. However, if this is not appropriate then you should contact another member of the management team or a trustee who will ensure that your concern is properly addressed.

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. Completely anonymous disclosures are difficult to investigate. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret and only reveal it where necessary to those involved in investigating your concern.

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. The charity Protect provides free confidential advice to employees who have concerns about wrongdoing in the workplace. Contact the charity on 020 3117 2520.

Employees who raise a concern are entitled not to be subjected to any detriment as a result, provided that the employee reasonably believes that the subject of the disclosure is in the public interest and the employee reasonably believes that the information disclosed and any allegation contained in it are substantially true.

Colleagues must not threaten or retaliate against whistleblowers in any way. If anyone is found to be involved in such conduct, they may be subject to disciplinary action. If you believe that you have suffered any such treatment as a whistleblower, you should inform the Chief Operating Officer immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or any other employee of the business. Making a deliberately false allegation, however, against the Charity, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

If you are the subject of an allegation of wrongdoing then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

If you are unhappy with the way in which we handle your complaint you may report your concerns direct to the Charity Commission in writing via the following email address -

[whistleblowing@charitycommission.gsi.gov.uk](mailto:whistleblowing@charitycommission.gsi.gov.uk)

The charity [Protect](#) provides free confidential advice to employees who have concerns about wrongdoing in the workplace. Contact the charity on 020 3117 2520.

Employees who raise a concern which is in the public interest under this policy are entitled not to be subjected to any detriment as a result, however the employee must reasonably believe that the disclosure they are making is true.

Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or any other employee of the business. Making a deliberately false allegation, however, against the Charity, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

If you are the subject of an allegation of wrongdoing then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

## **1.5 Good Faith and Loyalty**

The employment relationship is one built on trust and we all have a mutual interest in making the relationship a success. The Charity has a duty to provide reasonable support to employees and employees have a duty of good faith towards the Charity.

In practice this means not doing anything that undermines the Charity's position by acting in competition with it, providing information to competitors or undermining the Charity's standing with clients, customers and fellow employees.

## **1.6 Conflict of Interests**

When competing interests impair our ability to make objective, unbiased business decisions we have a conflict of interest. You may face a conflict of

interest when your professional duties as an employee and your personal interests diverge. They may take the form of financial interests in a supplier's or customer's business, recruiting a close family member or engaging in employment outside the Organisation.

### **Expectations**

As our employee, you are expected to:

- Maintain the highest possible standard of integrity in all your business relationships, both inside and outside the Organisation in which you work.
- Reject any business practice which might reasonably be deemed improper (including improper practices which might benefit the Organisation).
- Never use your authority or position for personal gain.
- At all times, act with impartiality, independence and integrity.
- Avoid being, or giving the appearance of being, in a position which may result in an actual or perceived detriment to the Organisation's reputation and/or interests.

### **Disclosure**

You must disclose or seek direction on any issues which may potentially conflict with your responsibilities to the Organisation.

*When do I make a disclosure?*

It is not possible to define all situations or relationships which may create a conflict of interest, so each situation must be evaluated individually. However, some of the more obvious conflicts include:

- Having any interest, dealings or shareholdings in any business which either is a competitor, customer, supplier or the Organisation's partner or is seeking to become one.
- A close family member (including children, in-laws, partner or spouse) having any interest, dealings or shareholdings in any business which either is a competitor, customer, supplier or the Organisation's partner, or is seeking to become one.
- Having a close or longstanding relationship/friendship with a business which either is a competitor, customer, supplier or the Organisation's partner, or is seeking to become one.

In all cases, individuals have a responsibility to assess the potential conflict. Actual or perceived conflicts of interest must be disclosed.

*Where do I record my disclosure?*

Disclosure should be made to your manager. Employees making positive disclosures will be asked on an annual basis to review conflicts of interest.

### **Restrictions**

You will not be permitted to engage in transactions on behalf of the Organisation with companies, Organisations or individuals with which you have an interest. All decision making and transactions with the third party concerned will be handled and managed independently.

### **Responsibilities**

Actual conflicts of interest must be avoided and potential conflicts of interests carefully managed. Your manager must review the disclosed interest, discuss it openly and manage it so that employees do not become involved in or influence situations where actual conflicts of interest occur.

### **Other employment**

If you wish to undertake other work while you are employed by the Organisation, then you must obtain prior written consent from your line manager.

### **Further advice**

If you are in any doubt as to whether a conflict of interest exists discuss the situation with your manager.

If you have any problems recording your conflict of interest please inform your line manager.

### **Consequences**

Failure to comply with the above procedures may result in disciplinary action and legal action being taken wherever appropriate.

## **1.7 Data Protection**

We will process personal data and sensitive personal data (also known as 'special categories of personal data') relating to you in accordance with our Data Protection Policy and our Data Protection Privacy Notice (provided to you separately), as well as in accordance with the relevant data protection legislation.

We may monitor staff in accordance with our policies relating to email, internet and communications systems and monitoring at work, as detailed in

this Employee Handbook and in accordance with the relevant data protection legislation.

You will comply with your obligations under our Data Protection Policy and other relevant policies as directed.

## **1.8 Environmental Statement**

In the undertaking of their daily duties, we accept that all staff associated with Charity will have an influence on the environment. We will commit to adopting working practices that will help to have a positive effect, assist towards continued environmental improvement, prevent pollution and reduce unavoidable negative influences caused by our working practices.

The Charity therefore maintains a policy of 'minimum waste' which is essential to the cost effective and efficient running of all our operations. Every employee has a responsibility to promote this policy by taking extra care when carrying out normal duties to avoid unnecessary or extravagant use of services, materials, lights, heating, water etc.

# 2

## HOW WE DO THINGS

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*This section deals with some important administrative requirements to do with your employment and sets out the standards the Charity expects of employees in various situations.*

### 2.1 Proof of Identity

The Charity is legally obliged to ensure that all employees are permitted to work in the UK. It is a condition of your employment that you comply with all reasonable requests to provide details of your identity, right to work in the UK and place of residence. This will include allowing the Charity to take copies of your passport or other appropriate documents and to check their authenticity. Copies of any such documents will be kept in your personnel file for such a period as is deemed necessary in compliance with current data protection laws.

The Charity may dismiss any employee who cannot demonstrate that they are legally entitled to work in the United Kingdom.

### 2.2 Disclosure & Barring Service (DBS) Checks

Some roles within the Charity will require you to work with children and/or adults at risk, and as such will have been assessed to require a criminal record check through the Disclosure & Barring (DBS) Service to confirm suitability for a role. It is your responsibility to comply with this process in a prompt manner and provide the appropriate documentation to ensure that this check can take place.

**The Charity may dismiss any employee who refuses to comply with the DBS process or whose DBS check discloses information which is inconsistent with suitability for the role.**

### 2.3 Safeguarding

Safeguarding is everyone's responsibility. Because of the nature of our work, participants in the Charity's programmes face an increased safeguarding risk. If you have any concerns over the safety or welfare of a participant, volunteer or colleague, it is your responsibility to disclose these concerns to the named Safeguarding Officer, in line with the Charity's Safeguarding Policy. All Wheels for All staff will have the opportunity to access safeguarding training, so that they are able to identify potential safeguarding issues and respond

proportionately. Some positions will be required to complete safeguarding training as a condition of their role.

Failure to report safeguarding concerns could result in disciplinary action.

## **2.4 Dress Code**

All employees should dress in a manner appropriate to the work that they do. Key factors include whether or not the employee meets clients or customers and whether the requirements of health and safety require particular clothing. How you dress is largely a matter of common sense.

If your manager feels that you are dressing in an inappropriate way they may ask you to dress differently the next time you come into work. A persistent refusal to comply with a reasonable standard set by a manager will amount to misconduct.

Where an employee dresses in a completely inappropriate way, for example by wearing clothing with offensive images or slogans, then they may be sent home to change. Any time taken to go home and change will be unpaid.

### **Employees required to wear Uniform**

If you are provided with specific uniform for your role, you will be expected to wear this times whilst at work if you may come into contact with the public in the performance of your duties.

You must ensure you look presentable for work and your uniform is maintained in a good condition. If you lose your uniform, or do not look after it, then the Charity will be entitled to make a deduction from your remuneration to cover the cost of replacing this. General wear and tear will be taken into account and the Charity may exercise its discretion to replace uniform.

### **Personal Protective Equipment**

If you are provided with any Personal Protective Equipment (PPE) you must ensure you wear this at all times, especially in any designated area which may pose additional risk. Failure to do so is likely to result in disciplinary action.

### **Helmets**

As the national inclusive cycling charity, the Charity has a duty to promote good practice. Wheels for All staff and volunteers must appear as a good role model to all participants. This includes all elements of best practice, which includes wearing necessary personal protective equipment, including a



helmet. Though we cannot force participants at our activities to wear a helmet, representatives of The Charity must wear a helmet while participating or leading an activity at all times. Failure to do so can be considered gross misconduct.

## **2.5 Timekeeping**

Good timekeeping is essential in any team; however we recognise the commitment that staff dedicate to their duties and therefore are happy to show some flexibility in terms of time keeping. This having been said, any employee who is seen to abuse this goodwill, will be spoken to. Persistent abuse of this goodwill will likely result in disciplinary action.

The Charity may ask you to record your arrival and departure times and may keep such records of your working time as it thinks appropriate. Deliberate failure to record time may be treated as gross misconduct.

Where it is clear that you are going to be late for work you must contact your line manager as soon as possible to explain the situation and give an estimate of your arrival time. You must make every effort to talk to your manager directly rather than leave a message with colleagues or send an email or text message.

If personal or domestic circumstances make it difficult for you to attend work on time then you should discuss this with your line manager. In some cases, the Charity may be able to accommodate a reasonable need for flexibility, but this will be subject to the needs of the business and the need to avoid placing an unfair burden on your colleagues (see Section 4).

## **2.6 Adverse Weather and Traffic Disruption**

### **Adverse Weather**

Adverse weather conditions can cause road closures and public transport disruption.

The Organisation's primary duty is to provide a safe place of work. If adverse weather means that this cannot be achieved, and the workplace needs to close then all employees will be sent home or told not to come in. In these circumstances, where possible, employees may be required to work from home and will be paid as normal. If home working is not a suitable alternative arrangement, employees will be paid in full for any working time that they have lost.

If the need to close the workplace persists, the Organisation may invoke the lay-off clause in employees' contracts.

## **Traffic Disruption**

We understand that events such as industrial action, road traffic accidents and road works can cause difficulties for employees attempting to travel into the workplace. In these circumstances we are prepared to take a flexible approach to working arrangements while still keeping the business running as effectively as possible.

You must make a genuine effort to report for work at your normal start time. You may need to leave home earlier to give yourself extra time for the journey or taking an alternative route. Travel on foot or by bicycle should be considered where appropriate and safe.

If you are unable to get into work, you should check the situation throughout the day in case it improves. Information may be available from local radio stations, the police, transport providers or the internet. If conditions improve sufficiently to allow you to travel in to work, you should report this to your manager and attend work unless told otherwise.

## **Delayed Return from holidays**

You should make every effort to return to work as planned at the end of any period of authorised annual leave and should ensure that travel arrangements are made that would best ensure this is possible. However, we recognise that employees may be delayed when returning from holidays due to flight cancellations/ delays.

## **If you are unable to travel into work**

If the workplace is open, it is the responsibility of employees to attend work if they possibly can.

Employees who are absent from work due to adverse weather or other travel disruptions are not entitled to be paid for the time lost.

Where it is clear that you are not going to be able to get to work you must contact your line manager as soon as possible to explain the situation. You must make every effort to talk to your manager directly rather than leave a message with colleagues or send an email or text message.

If you are unable to attend work due to severe weather or other travel difficulties, then you will be required to take time from your annual leave allowance to cover any absence or to take unpaid time off by agreement with your manager.

There may be circumstances in which employees are able to work at home or from an alternative place of work, if available, but this will be entirely at the discretion of the Organisation. If you do this, you will receive your normal pay.

If travel disruption or adverse weather causes you to arrive at work late or requires you to leave work early you will usually be expected to make up any lost time.

## **2.7 Rest Breaks**

The Charity encourages all employees to take full advantage of scheduled rest breaks. These are provided not only for comfort, but also to protect the health of employees and prevent excessive fatigue from causing accidents.

A rest break should be taken away from your workstation wherever possible. If you leave the premises you should bear in mind the time that it will take you to return from the break so that you can ensure that you begin work again on time.

Different areas of the business may have different arrangements for ad hoc breaks such as to make a cup of tea or coffee. These arrangements are in place to ensure the smooth running of the business and to prevent putting unfair pressure on colleagues. You are required to comply with any requirements relating to such breaks as may be in place from time to time.

## **2.8 Smoking**

The Charity operates a smoke-free workplace. Smoking (which includes the use of e-cigarettes and personal vaporisers) is therefore strictly prohibited throughout all Charity premises, including any Charity vehicle.

Smoking is only permitted during designated break times and, where appropriate, in the designated outside areas.

## **2.9 Computer Use - Including the use of email/Internet**

It is very important that the Charity is able to keep its data secure. To assist with this, all employees are required to comply with instructions that may be issued from time to time regarding the use of Charity-owned computers or systems.

You should ensure that when leaving your workstation for any lengthy period, that you lock your terminal, or log off if appropriate.

You must not attach any device to Charity IT equipment without authorisation from your line manager and you must not open attachments or click on links unless you know you can trust the source. Charity portable IT devices must be kept secure and password protected at all times.

Your computer password is an important piece of confidential information and you should treat it that way. Do not share it with others, and make sure

that it is not written down anywhere where an unauthorised person can find it.

Unauthorised access to any of the Charity's systems will amount to gross misconduct.

## **Internet Use**

### **1.3.**

Employees with access to the internet on Charity-owned devices should use that access responsibly.

Excessive personal use during working hours will be treated as misconduct. Use of the internet is permitted for personal use in your designated break times so long as the rest of the rules in this policy are adhered to.

From time to time the Charity may block access to sites which it considers inappropriate but whether or not a specific site has been blocked, employees must not use the internet to view or download offensive or sexually explicit material. Any attempt to do so may, depending on the circumstances, amount to gross misconduct leading to dismissal.

Employees must not download any software, plugins or extensions on to Charity-owned devices unless this is first cleared by an appropriate manager. Employees should also refrain from downloading music, video or any other entertainment content on any Charity-owned device.

Firewalls and anti-virus software may be used to protect the Charity's systems. These must not be disabled or switched off without express permission from management.

## **Email**

### **1.4.**

All email correspondence should be dealt with in the same professional and diligent manner as any other form of correspondence.

If you have a Charity email account you should be mindful of the fact that any email that you send will be identifiable as coming from the Charity. You should therefore take care not to send anything via email that may reflect badly on the Charity. In particular, you must not send content of a sexual, racist or discriminatory nature, junk mail, chain letters, cartoons or jokes from any email address associated with work.

Using a Charity/work email address to send inappropriate material, including content of a sexual, racist or discriminatory nature, is strictly prohibited and may amount to gross misconduct. Should you receive any offensive or

inappropriate content via email you should inform a member of management of this as soon as possible so that they can ensure that it is removed from the system.

You should also take care that emails will be seen only by the person intended. Particular care should be taken when sending confidential information that the email has been correctly addressed, marked 'private' /'confidential' and not copied in to those not authorised to see the information. Sending confidential information via email without proper authorisation or without taking sufficient care to ensure that it is properly protected will be treated as misconduct.

### **Privacy**

Monitoring of email usage takes place without notice. You should have no expectation of privacy in respect of personal and business use of email and the internet whilst at work.

Your email remains the property of the Charity and therefore you should not use your Charity email to send or receive any information that you regard as private. The Charity may, in the course of its business, read emails that you have sent or received - although in the absence of evidence of wrongdoing the Charity will try to avoid reading personal emails if possible.

## **2.10 Social Media**

An employee's behaviour on any social networking or other internet site must be consistent with the behaviour required of employees generally. Where it is possible for users of a social media site to ascertain who you work for, then you should take particular care not to behave in a way which reflects badly on the Charity.

You must avoid making any social media communications that could damage our business interests or reputation, even indirectly. You must not use social media to:

- defame or disparage or make any other inappropriate comment about us, our staff or any customer, client or other third party;
- harass (including sexually harass), bully or unlawfully discriminate against staff, customers, clients or other third parties;
- make false or misleading statements; or
- impersonate colleagues or third parties.

Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, the Charity will take a particularly serious view of any misconduct that occurs through the use of social media.

You should make it clear in social media postings, or on your personal profile, that you are speaking on your own behalf. Write in the first person and use a personal email address. Be respectful to others when making any statement on social media and be aware that you are personally responsible for all communications which will be published on the internet for anyone to see.

Inappropriate or disparaging comments about the Charity, colleagues or clients will be treated as misconduct. Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, the Charity will take a particularly serious view of any misconduct that occurs through the use of social media.

You must not operate a social media account or profile that purports to be operated on or on behalf of the Charity without express permission to do so from your manager. You must not comment on social media about sensitive business-related topics, such as our performance, or do anything to jeopardise our trade secrets, confidential information and intellectual property. You must not include our logos or other trade marks in any social media posting or in your profile on any social media.

We may use internet searches to perform due diligence on shortlisted candidates in the course of recruitment. Where we do this, we will act in accordance with our data protection and equal opportunities obligations.

You are not permitted to add business contacts made during the course of your employment to personal social networking accounts.

You should not attempt to access social networking sites, such as Facebook/X (formerly known as Twitter) or similar on Charity computers. This includes during break times. Unless for work purposes required by your role.

Any misuse of social media that you see should be reported to your manager.

Breach of this policy may result in disciplinary action up to and including dismissal. You may be required to remove any social media content that we consider constitutes a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

## **2.11 Telephones**

Reasonable personal use of Charity telephones is permitted with prior permission from management, however calls should be kept short and no calls should be made to premium rate numbers or abroad.

Use of personal mobile telephones should be kept to a minimum during work time.

## **2.12 Alcohol and Drugs**

The Charity's approach to the consumption of alcohol, drugs and other substances (including new psychoactive substances) that have intoxicating and/or behaviour-altering effects or impair judgement (referred to in this policy as "other substances") is based on the need to ensure a safe and productive working environment. Because of the serious nature of the risks posed by the abuse of alcohol, drugs and other substances in the workplace, any breach of the rules in this area will be treated as gross misconduct which will usually result in dismissal.

An employee will be regarded as 'under the influence' of alcohol, drugs or other substances if their behaviour, speech, ability to concentrate or otherwise perform their duties is in any way affected. An employee will also be regarded as under the influence if they fail a drug, other substance or alcohol test.

### **Dependency**

Employees who have a dependency on alcohol, drugs or other substances may be offered support and encouraged to seek appropriate counselling or medical help. Absence arising from treatment or counselling related to drug, alcohol or other substance abuse will be treated as sickness absence under the Charity's Sickness absence procedure. However, while the Charity will always try to be supportive toward employees with a drug, alcohol or other substance problem, this will not prevent disciplinary action being taken when employees act in breach of the rules laid out in this policy.

Wherever an employee informs the Charity that they have a drug, alcohol or other substance problem this will, as far as possible, be treated in the utmost confidence. However the Charity may need to disclose particular circumstances to managers, regulatory authorities or others should this be necessary to ensure safety or compliance with legal requirements.

### **Drugs**

The consumption, storage, distribution or sale of illegal drugs or any other behaviour-altering and/or intoxicating substance, including new psychoactive

substances, on Charity premises or during working time is strictly prohibited. The Charity will report any illegal activities to the police or other relevant authorities.

You must not present yourself for work under the influence of illegal drugs or any other substance taken for non-medical purposes.

### **Medicines and Prescription Drugs**

If you are taking prescription drugs or any other medicine that may affect your performance at work or your ability to carry out any of your duties, then you must inform your line manager of this so that steps can be taken to ensure that the work can be done safely. It is your responsibility, when beginning any course of medication, to check whether it may adversely affect your ability to work.

### **Alcohol**

Consumption of even a small amount of alcohol may be sufficient to adversely affect the work of an employee and could pose a risk to health and safety. Remember that alcohol remains in the bloodstream for up to 24 hours following consumption and that the consumption of a significant amount of alcohol in the evening may leave you unfit to work in the morning.

You must not present yourself for work under the influence of alcohol.

You must not consume any alcohol during working time, lunchtime or during any break unless this has been specifically authorised by your manager.

Where alcohol is available at Charity organised events or occasions when you are representing the Charity – even outside working hours - it is important to behave responsibly and not drink to excess. Behaviour that reflects badly on the Charity will be a disciplinary matter and in serious cases may amount to gross misconduct.

## **2.13 Driving**

Where driving is required as part of your job, it is your responsibility to ensure that you are legally qualified to drive.

Licences will go through the Charity inspection procedure which requires us to check individual licences once a year with the DVLA, or as otherwise requested. The Charity will require you to share your driving licence information by supplying it with your driving licence number and a check code provided by the DVLA. If you receive any points on your licence you must inform the Charity of this immediately.



If you use your own vehicle to drive on Charity/work-related business, it is your responsibility to arrange to be insured for that business use. The Charity may require you at any time/annually to allow a copy of your insurance and any MOT test certificate to be made and kept in our records.

You are responsible for any driving offences committed while driving as part of your duties, including any parking fines. Dangerous, careless, inconsiderate or aggressive driving as well as causing a risk to others can be damaging to the Charity's reputation and can amount to gross misconduct. If you are banned from driving for any reason, the Charity is not obliged to find alternative work for you and may choose to dismiss you if the ban renders you incapable of performing your duties as required.

**It is illegal to use your mobile phone whilst driving. This includes texting etc.**

Employees should **never** use their mobile phone whilst driving on Charity business unless they do so on a properly installed hands-free system and traffic conditions mean that it is safe to do so. In most cases, it would be preferable to make any calls when the vehicle is stationary.

Any journey carried out on Charity business must be scheduled in such a way as to allow adequate rest breaks – usually one break of 15 minutes for two hours of driving. Where possible, driving on Charity business should be avoided either late at night or very early in the morning.

Safety is the Charity's prime responsibility and you should not be required to compromise safety in any way when driving on Charity business. If you are concerned about any driving requirements you may have, then you should discuss these with your line manager and appropriate arrangements will be made to ensure that any work-related journey can be completed safely.

## **2.14 Expenses**

You will be reimbursed for authorised and legitimate expenditure reasonably incurred (with prior agreement) in the course of the proper performance of your duties, i.e. travel, accommodation, agreed out-of-pocket expenditure. In order to claim expenses you must complete an expense claim form and support the claim by submitting valid receipts.

For our full Expenses Policy in place from time to time, please see the SharePoint.

## **2.15 Pension scheme**

If you are eligible, we will automatically enrol you into our Pension Scheme on day one of employment. Within a month of being enrolled in the Scheme, you

can send an opt-out form if you do not wish to be in the Scheme. If you do not opt out, we will deduct your contributions to the pension scheme from what we pay you. Current details of the Scheme and your rights relating to it, and of your and our contributions, will be provided to you separately.

## **2.16 Charity Property**

You are not permitted to use Charity property for any purpose other than its intended use. Charity property must not be removed from the premises unless with prior approval.

### **Damage to Charity Property**

Any damage to or loss of Charity property must be immediately reported to your manager.

If, following an investigation, it is found that as a result of your carelessness, negligence or failure to comply with Charity procedures, or by wilful act, the Charity suffers loss or damage of cash, stock, fixtures and fittings or property, this will be construed as serious breach of the rules, which could result in your summary dismissal on grounds of gross misconduct.

You may also be liable to pay the full, or part, cost of making good the Charity's loss in respect of cash, stock, fixtures and fittings, or property.

In the event that the Charity makes a claim to its insurers, for repair or replacement, or other losses incurred, it reserves the right to require you to pay any insurance excess that may accrue.

It is an express term of your contract of employment that if Charity property is damaged, lost or stolen through your negligence or fault, then the Charity may deduct the cost of repair or replacement from your salary.

Before any decision is made to deduct, the matter will be fully investigated and you will be given an opportunity to state your case and appeal any decision.

### **Return of Charity Property**

Upon termination of employment for whatever reason, you must return to the Charity all property belonging to the Charity including Charity vehicle, computer, equipment, keys, records and documents within your possession or control belonging or relating to the affairs and business of the Charity and its customers.

The Charity may deduct the cost of replacement of any items not returned, or repair of items that are returned damaged, on termination of your employment from your salary or any monies owed to you.

### **Employees' Property**

The Charity does not accept liability for any loss of, or damage to, property that you bring onto the premises. You are requested not to bring personal items of value onto the premises, and in particular, not to leave any items overnight.

Any loss or theft of items must be reported to your manager.

### **Lost Property**

If you find any items of lost property they should be handed to your immediate Manager, who will retain the items for three weeks. The property will either be handed over to the police or disposed of accordingly.

## **2.17 General**

### **Statements to the Media**

Any statements to reporters from newspapers, radio, television etc. in relation to our business will be given only by Management.

### **Parking**

If parking is provided by the Charity, all cars parked in such parking areas are parked at the owner's risk and must be parked so as not to obstruct access. It is your responsibility to ensure that your vehicle is parked in a safe area.

### **Our Policies and Procedures**

You are required to read and follow our various operational procedures.

## **2.18 Recruitment and Selection Policy**

The Organisation 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 Organisation's Equal

Opportunities Policies and the Data Protection Policy. Any queries should be addressed to Joe McTague, Chief Operating Officer.

This policy applies equally to promotions. In the first instance promotions may be sought internally.

A job specification should be prepared for any vacant position and checked to ensure that it complies with the Organisation's Equal Opportunity and other policies.

All positions should be advertised. Advertisements must be gender neutral (save where gender is a genuine occupational qualification for the position) and should avoid using stereotyping or avoid using words that discourage groups with a protected characteristic. All adverts should make it clear that the Organisation is an Equal Opportunity Employer and will not discriminate on the grounds of Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Marriage and Civil Partnership or Pregnancy and Maternity. Where appropriate, adverts may be placed on the staff noticeboard but care must be taken to ensure that such a process does not exclude categories of workers based upon Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Marriage and Civil Partnership or Pregnancy and Maternity. Any application forms must be gender and race neutral.

All applications should be acknowledged and interviews be arranged as soon as possible. Any decision to interview or short list applicants must not be based upon Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Marriage and Civil Partnership or Pregnancy and Maternity or trade union membership or activities.

All applicants who are invited to an interview must be informed as soon as possible where and when the interview will take place. Applicants who have stated that they suffer from a disability should be asked whether any reasonable adjustment is required in order to assist them in attending the interview (which may involve, for example, changing the time of the interview or providing transport where it is reasonable to do so).

The interview process must be carried out in a way which cannot lead to any inference of direct or indirect discrimination. Selection requirements or conditions must be justified and relate to the needs of the position. Applicants should not be asked about health or disability before a job offer is made. For example, a numeracy test may not be appropriate where it does not relate to the requirements of the job and qualifications should not be required where they are unrelated to the position. Care must be taken not to ask questions which may indicate discriminatory stereotyping and it is preferable to have

agreed questions that have been approved by Joe McTague, Chief Operating Officer.

Once an agreed short list has been prepared it is preferable for the short list to be checked by another suitably qualified person and for the applicants on the short list to be re-interviewed. It is necessary in the case of all applicants to ensure that they are qualified to work in the United Kingdom by production of the appropriate documents and in accordance with Guidance from Joe McTague, Chief Operating Officer.

At every stage of the process, applicants who have not been successful should be informed in writing as soon as possible. If an applicant requests the reason that he or she has been rejected any reply should be checked with and approved by Joe McTague, Chief Operating Officer.

Where an applicant has been identified as being the person to whom the position is to be offered:

- Care must be taken to ensure that the terms of any offer do not discriminate against the candidate when compared to other persons in the same or similar positions.
- The offer should be in the approved form and subject to conditions (i.e. references, qualifications, the requirement of a driving licence etc.) as set out in the standard offer of appointment for a person in that position or as approved by Personnel.
- Where a medical examination is considered necessary it is essential that the candidate is advised that any offer is subject to a satisfactory medical examination.
- It is necessary that the candidate is advised of the documentation that will be applicable to his employment before he or she commences employment and has signified agreement in writing to those documents that are incorporated (i.e. The Letter of Appointment, Statement of Terms and Conditions, Contract of Employment, Service or Manual and Policies that are applicable).
- Where references are required or the position is subject to the candidate achieving a qualification it must be made clear in writing that the position is subject to satisfactory references or the qualification. This is particularly so where the candidate is to commence work before receipt of references or the qualification.

Candidates who are subject to conditional offers should be informed of the Organisation procedure in this respect and candidates must be advised not to resign from their current post until all necessary checks have been returned

and are satisfactory, adhering to the required standard set out in current legislation and guidelines.

1. For offers subject to DBS/PVG verification, a final offer of employment will be issued upon the Organisation receiving satisfactory clearance for the specified role as stated in the offer letter.
2. For offers subject to Identity and Right of work verification, a final offer of employment will be issued upon the Organisation receiving satisfactory documentation for the specified role as stated in the offer letter.
3. For offers subject to language competency, a final offer of employment will be issued upon the Organisation accessing the required satisfactory standard.

Candidates who are subject to a probationary period should be informed of the Organisation procedure in this respect.

In the case of internal promotions candidates should be informed of any probationary period and what will happen if they are unsuccessful in the new position.

If there any queries about this procedure they should be directed to Joe McTague, Chief Operating Officer.

# 3

## ABSENCE

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*This section sets out the approach the Charity takes when you are unable to attend work, are taking annual leave or need time off.*

### 3.1 Unauthorised Absence

Employees who deliberately fail to attend work without proper excuse or in breach of management instructions will be committing gross misconduct which could result in dismissal without notice or payment in lieu.

### 3.2 Medical Appointments

In general, appointments to see a GP, dentist or optician should be made for outside working hours. Paid leave will not normally be granted for non-emergency visits.

The Charity appreciates that it is not always possible to avoid appointments during the working day and will judge each case individually in deciding whether any paid time off should be granted. In most cases, employees will be required either to use part of their annual holiday entitlement or to make up any lost time.

Employees who have a medical condition which will require regular appointments during the working day should discuss their situation with their manager so that appropriate arrangements can be made.

You may be required to provide evidence of any appointment for which time off is needed.

### 3.3 Ante-natal Care/Adoption Appointments

#### Pregnancy Related Appointments

Employees who are pregnant are entitled to paid-time off to attend ante-natal appointments provided that attendance is based on medical advice. For second and subsequent appointments you may be required to produce an appointment card or similar evidence of the date and time of the appointment.

While there is no limit on the number of appointments that an employee can attend, the Charity does have the right to refuse time off where it is reasonable to do so. Employees are therefore expected to take reasonable steps to arrange antenatal appointments at a time that will require the

minimum amount of time off. Part-time workers should attempt to arrange appointments for days when they are not required to work and all employees should try to avoid appointments in the middle of the working day in order to minimise disruption.

If your partner is pregnant, you are entitled to unpaid time off for up to two antenatal appointments. If you wish to exercise this right you should notify your manager of the date and time of the appointment. You may be asked to provide written evidence that an appropriate appointment has in fact been made.

### **Adoption Appointments**

Employees who are adopting on their own, or have elected to be the primary adopter may take paid time off to attend up to five adoption appointments in certain circumstances.

If you are the partner of the primary adopter, you may take unpaid time off on up to two occasions to attend an adoption appointment.

## **3.4 Sickness Absence**

Regular and reliable attendance at work is an important commitment that the Charity asks all employees to make. Unjustified or excessive absence can put unfair pressure on colleagues and seriously damage the Charity's business, to everybody's detriment.

Nevertheless the Charity will always try to be supportive when an employee is genuinely too ill to attend work. This policy sets out the Charity's approach and the steps that you need to take if you are off sick.

### **Reporting Sickness Absence**

If you are too ill to come into work you should personally inform your line manager of this fact as soon as possible and in any event by no later than 8am. The following details should be provided:

- The nature of your illness or injury.
- The expected length of your absence from work.
- Contact details.
- Any outstanding or urgent work that requires attention.

When you phone in sick you must make every effort to speak to your manager directly. Do not simply leave a message with a colleague or send an email or



text. If you need to leave a message for your manager then they may contact you during the day to discuss your absence with you.

It is important that you keep in touch with your manager about the likely length of your absence so that appropriate arrangements can be made for cover and you should phone in sick on every day of your absence unless either you have previously informed your manager that you will be off sick for a particular period of time or your absence is certified by a 'Fit Note' (Form Med 3).

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reason of hangovers will be regarded as a disciplinary offence which may result in dismissal without notice or payment in lieu. You should also be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

The Charity requires any absence of 4 or more calendar days to be certified by a 'self-certification form' (Form SC2). Any absence of more than 7 calendar days must be certified by a 'Fit Note' (Forms Med 3 or Med 10). Uncertified absence may be treated as misconduct and will not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then the Charity may require such absence to be certified by a Fit Note at your own expense.

Where you are absent for an extended period of time (three weeks or more) or where you have high levels of short-term absences the Charity may refer you to an occupational health professional or seek a medical report from your GP. The purpose of this will be to ascertain when you are likely to be able to return to work and to identify any measures that can be taken to help you return as soon as possible.

Employees who are off sick should not undertake any activities likely to be detrimental to their recovery and should cooperate with the appropriate medical professionals in taking steps to ensure that their recovery is as swift as possible.

The Charity will maintain regular contact with employees who are off sick for an extended period.

Employees will be required to attend a return to work meeting after any period of sickness absence. The purpose of the meeting is to check on the employee's general health and wellbeing, to catch up with regards to anything that the employee may have missed, and to discuss whether there are any concerns in respect of absence levels.

## **Annual Leave and Sickness Absence**

Employees may request annual leave during any period of sickness absence in the normal way. If you intend to spend any time away from home during your sickness absence you should inform your manager of this fact in advance and provide contact details. The Charity does not expect employees to take holidays while off sick. In exceptional cases only, where this may assist in an employee's recovery, the Charity may agree to holidays being taken during sick leave. It is essential however that any such holidays are agreed in advance with the Charity following the normal holiday request procedure.

## **Phased Return to Work**

As an employee recovers from illness or injury it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. The Charity will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a bridge between sickness absence and normal working and so any such arrangements will be time-limited and will not normally extend over more than three months.

## **Alternative Work**

The Charity may consider agreeing changes to an employee's duties or other working arrangements when it becomes clear that due to sickness or injury they will not be able to return to normal working. Any such changes will be subject to the needs of the business and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way then the job being done by the employee will need to be reassessed to determine the appropriate level of remuneration. This will then need to be agreed with the employee. If an agreement is not reached then the Charity may proceed to dismiss the employee in accordance with the procedure for long-term sickness absence.

## **Disability and Reasonable Adjustments**

The Charity is committed to making reasonable adjustments to an employee's duties or working arrangements where they would otherwise suffer a disadvantage arising from any disability.

In order to make appropriate adjustments the Charity needs to know about any disability the employee may have. Employees who feel that they may require an adjustment should discuss their situation with their line manager. Any such discussions will be in the strictest confidence although when an

adjustment is made it may be necessary to inform other employees of the reason for this. The extent to which details of any disability will be discussed with other employees will be agreed as part of the process of making the adjustment itself.

The purpose of any adjustment will be to ensure that the employee can work effectively in an appropriate role and on appropriate terms and conditions. The Charity is not obliged to maintain an employee's level of pay if hours are reduced or the employee is moved to a less senior role as a result of any adjustment. Nor will the Charity agree to an adjustment which will not result in a commercially practicable working arrangement.

### **Statutory Sick Pay**

If you are sick the Charity will pay you Statutory Sick Pay (SSP), if you are eligible. Further details of this are contained within your contract of employment.

## **3.5 Stress and Mental Wellbeing at work policy**

We are committed to protecting the health, safety and wellbeing of our staff. We recognise the importance of identifying and tackling the causes of work-related stress. We also recognise that personal stress, while unrelated to the workplace, can adversely affect the wellbeing of staff at work. We want to support the mental wellbeing of all our staff and will provide appropriate support for staff who are suffering from stress or mental ill health, on a confidential basis where appropriate, regardless of its source.

This policy takes account of our obligations under the Health and Safety at Work etc Act 1974, Management of Health and Safety at Work Regulations 1999, Employment Rights Act 1996, Protection from Harassment Act 1997, Working Time Regulations 1998 and Equality Act 2010.

All staff should ensure that they are familiar with this policy and act in accordance with its aims and objectives. Staff should plan and organise their work to meet personal and Organisational objectives and co-operate with support, advice and guidance that may be offered by line managers. Anyone who experiences or is aware of a situation that may result in work-related stress or undermine mental wellbeing at work should speak to a manager.

We will:

- Promote a culture of open communication. We want staff to feel confident that any concerns they raise about their work or working

environment will be addressed. We will provide both formal and informal means for them to raise concerns.

- Provide training for managers in good management practices.
- Take account of stress and mental wellbeing when planning and allocating workloads. We will provide opportunities to discuss these through our appraisal and one-to-one supervision processes.
- Monitor working hours and overtime to ensure that staff are not overworking and monitor holidays to ensure that staff are using their entitlement.
- Ensure risk assessments include or specifically address work-related stress.
- Facilitate requests for flexible working where reasonably practicable in accordance with our Flexible Working Policy.
- Ensure that in any workplace our change management processes are designed to minimise uncertainty and stress.
- Implement policies and procedures to address factors that can cause stress at work, or add to personal stress, in particular so that we can:
  - provide a workplace free from harassment, bullying and victimisation; and
  - address inappropriate behaviour through disciplinary action.
- Provide training to help all staff understand and recognise the causes of work-related stress and mental ill health, the impact of stress from factors in everyday life and the steps they can take to protect and enhance their own mental wellbeing and that of their colleagues.
- Provide support services such as an employee assistance programme for staff affected by or absent by reason of stress.

### **Understanding stress and mental health**

Stress is the adverse reaction people have to excessive pressures or demands placed on them. Stress is not an illness but, sustained over a period of time, it can lead to mental and/or physical illness.

Mental health is a term to describe our emotional, psychological and social wellbeing; it affects how we think, feel and act and how we cope with the normal pressures of everyday life. Positive mental health is rarely an absolute

state since factors inside and outside work affect mental health, meaning that we move on a spectrum that ranges from being in good to poor mental health.

There is an important distinction between working under pressure and experiencing stress. Certain levels of pressure are acceptable and normal in every job. They can improve performance, enable individuals to meet their full potential and provide a sense of achievement and job satisfaction. However, when pressure becomes excessive it produces stress and undermines mental health.

Pressures outside the workplace, whether the result of unexpected or traumatic events such as accidents, illness, bereavement, family breakdown or financial worries, can result in stress and poor mental health. They can also compound normal workplace pressures.

### **Addressing work-related stress**

If you believe you are suffering from work-related stress you should discuss this with your manager or supervisor in the first instance. If you feel unable to do so you should contact another manager.

Once an issue affecting your health comes to the attention of your manager or another manager we will discuss with you what steps can be taken to address that issue. Those steps may include any of the following:

- A review of your current job role, responsibilities, workload and working hours. Adjustments may be agreed to these, on a temporary basis and subject to further review, where appropriate.
- Where it appears that stress has been caused by bullying or harassment, investigation under our Disciplinary and/or Grievance Procedures.
- Referral for medical advice, treatment and/or a medical report to be provided by occupational health or any specialist or GP who has been treating you.
- If you are on sickness absence, discussion of an appropriate return to work programme. Our Sickness Absence Policy may be applied.

### **Confidentiality**

Information about stress, mental health and mental wellbeing is highly sensitive. Every member of staff is responsible observing the high level of confidentiality that is required when dealing with information about stress or

mental health whether they are supporting a colleague or because they are otherwise involved in the operation of a workplace policy or procedure.

Breach of confidentiality may give rise to disciplinary action. However, there are occasions when information about stress or mental wellbeing need to be shared with third parties. For example:

- Where steps need to be taken to address work-related stress such as reallocating work within a team.
- Where medical advice is required on how to support a member of staff, address issues raised by work-related stress or address issues raised by mental ill health.
- Where allegations of harassment, bullying or other misconduct require a disciplinary investigation or proceedings to take place.
- Where a member of staff presents an immediate danger to themselves or others.

In these circumstances, wherever possible, matters will be discussed with the member of staff concerned before any action is taken.

### **3.6 Jury Service/Other Time Off**

There are a number of circumstances in which employees have a right to time off from work either with or without pay. These include jury service and certain public duties such as serving as a local councillor, magistrate or school governor. Where a need for such time off arises you should discuss the matter with your line manager who will consider what arrangements should be put in place.

While the Charity will do its best to accommodate time off in these circumstances, the requirements of an employee's role may mean that the amount of time off granted may be limited.

Where serving on a jury would lead to a level of absence that would be detrimental to the business, the Charity may require you to seek a deferment.

### **3.7 Compassionate/Bereavement Leave**

In the event an employee suffers a bereavement in their family, the Charity will exercise its discretion to allow reasonable time off to attend a funeral. What is reasonable will be determined on a case by case basis and the type of leave, whether paid or unpaid, will depend on the circumstances and the relationship the employee had with the individual.

In addition, there may be occasions where it may be necessary for an employee to take compassionate leave. Again, this will be considered on a case by case basis and dependant on circumstances, may be paid or unpaid.

An employee will not be eligible to receive paid bereavement or compassionate time-off benefits while off, or absent from work because of holiday, sickness (paid or unpaid) or for any other reason.

### **3.8 Parental Bereavement Leave**

Employees are entitled to statutory parental bereavement leave (SPBL) if a child for whom they have or were due to have parental responsibility has died or been stillborn after 24 weeks of pregnancy.

Leave can be taken as one week, two consecutive weeks, or two separate weeks, at any time within the first 56 weeks after the child's death.

#### **Notification**

During the first eight weeks after a child has died, you, or someone on your behalf as necessary, need only give notice to the Company to take SPBL before you are due to start work on the first day of leave. If you have already started work, then officially your SPBL period will start on the following day. If you want to cancel it at any time during the first seven weeks you can do so as long as it has not started.

After eight weeks, you need to give at least a week's notice to the Company to take SPBL. You can cancel it with a week's notice, or re-book it by giving a week's notice.

When giving notice to take SPBL, you must tell the Company: the date of the child's death; when you want your leave to begin; and whether you want to take 1 or 2 weeks leave). You can give notice by telephone or by email or by letter.

#### **Parental Bereavement Pay**

To qualify for statutory parental bereavement pay (SPBP) during such leave you must have at least six months' continuous employment and normal weekly earnings of at least the lower earnings limit. It is paid at the same rate as other statutory family leave pay, which is subject to change every year. You can check the most up-to-date figure with your line manager.

To claim SPBP, you must confirm the following information in writing within 28 days of starting any period of SPBL: your name; your entitlement to SPBP; the dates of SPBL you want to claim the pay for; the date of the child's death; and your relationship to the child. You can provide this information at the

same time as giving notice to take SPBL, as set out above, so long as it is in writing.

### **Other leave entitlements**

In addition to parental bereavement leave, if you qualified for:

- maternity or paternity leave and pay and your child has died or been stillborn, you are still entitled to such leave and pay.
- adoption leave and pay, then the adoption leave entitlement runs for another eight weeks from the end of the week in which the child died (unless it would already have ended sooner).

If your planned period of SPBL coincides with another statutory family leave right, your SPBL will end at the start of that other leave. If you wish to take SPBL at the end of the other statutory family leave period, then a fresh notice to take the leave will be required, as per the above notice requirements.

Compassionate or Dependants leave may be available under our Compassionate or Dependants Leave Policy at our discretion. Please speak to your manager if you require time off in addition to parental bereavement leave.

## **3.9 Emergency Time Off for Dependants**

The Charity recognises that situations arise where you need to take time off work to deal with an emergency involving someone who depends on you. Your husband, wife or partner, child or parent, or someone living with you as part of your family can all be considered as depending on you. Others who rely solely on you for help in an emergency may also qualify. For further detail as to who counts as depending on you and guidance on individual circumstances, please speak to your Manager.

Provided the reasons for such a request are genuine and you inform the Charity as soon as possible that you need this time off, you will be allowed reasonable unpaid time off work to deal with such emergencies.

The right to time off only covers emergencies. If you know in advance that you are going to need time off, you will not qualify for this type of leave and you therefore should arrange this with the Charity by taking another form of leave, such as annual leave, parental leave etc.

If an emergency occurs and it is not possible for you to inform your manager in advance of any absence you should contact your manager as soon as possible to inform them of the situation. Appropriate arrangements may then be put in place.



If you suffer some other personal emergency you should talk to your line manager who will discuss what arrangements can be made to grant you compassionate leave. These arrangements will always be at the discretion of the Charity and will depend on the circumstances of the case and the impact that any absence on your part may have on the business. However, the Charity will be sympathetic to your need for time off (which may be paid or unpaid at our discretion) to deal with the situation and make any arrangements that may be necessary.

### **3.10 Annual Leave**

Your individual holiday entitlement, including the calculation of any holiday pay, is set out in your contract of employment. This section of the handbook outlines the general approach taken by the Charity to requests for annual leave.

All annual leave must be agreed in advance with your line manager. You should not make firm travel plans or commitments until a request for leave has been granted and the Charity will not take such plans into account when dealing with conflicting holiday requests.

Usually, no more than two consecutive weeks' holiday can be taken at one time. In certain circumstances, and at the discretion of the business, a longer period may be permitted. If this is required, you should discuss this with your line manager, to establish whether this can be accommodated.

#### **What notice do I need to give?**

You should try to make all requests for leave at least 2 weeks in advance, although we would appreciate you making requests as early as possible so that the annual leave process can be managed. The means of requesting leave may change from time to time and you should comply with whatever procedure is in place at the time of the request.

Your manager may refuse any request for leave if it would result in the workplace being understaffed or otherwise prejudice the business. Leave is likely to be refused if it is requested for a particularly busy period or a time when other employees have already had leave approved.

Certain times of year are particularly popular times for requesting holiday. Generally, subject to the needs of the business, leave will be granted on a first come first served basis, but exceptions may be made in the interests of ensuring that holiday is spread through the year on a fair and equitable basis.

## **Our Holiday Year**

All employees are encouraged to take their full holiday entitlement during the holiday year which runs from 01 April to 31 March. However it is your responsibility to schedule your holiday so that it can be taken at an appropriate time.

You cannot carry forward more than five days of untaken holiday from one holiday year to the following holiday year unless you have been prevented from taking it in the relevant holiday year by one of the following: a period of sickness absence or statutory maternity, paternity, adoption, shared parental, parental, parental bereavement, carer' leave. In cases of sickness absence, carry-over is limited to four weeks' holiday per year less any leave taken during the holiday year that has just ended. Any such carried over holiday which is not taken within eighteen months of the end of the relevant holiday year will be lost.

If you do not take your annual leave within the leave year in which it accrued, you will lose the right to take it, unless one of the carry forward provisions referred to above applies.

Employees who leave their employment during the course of a holiday year will be entitled to a pro-rata payment reflecting leave accrued but not taken. Where an employee has, at the time their employment ends, taken a larger proportion of their leave entitlement than the proportion of the holiday year that has expired, then a deduction will be made from the final payment of salary to reflect the holiday which has been taken but not accrued.

The Charity may insist on annual leave being taken at particular times depending on the needs of the business and these are set out in your contract of employment. We will give reasonable notice of any such requirement (the length of the notice given will be at least twice the duration of the leave the Charity requires the employee to take).

The Charity may require annual leave to be taken during the notice period of any employee who has resigned or been dismissed.

## **3.11 Time Off in Lieu (TOIL)**

Employees who work outside their contracted hours may be eligible to take some time off in lieu at a later date. TOIL is not a statutory right, and as such the charity retains discretion over granting it. Generally, employees will be eligible for TOIL if:

- *For full-time employees:* they work on a weekend (when weekend days are not listed in their contract as their typical days of work) or stay away overnight on charity business. Working on these days must be agreed with their line manager in advance.
- *For part-time employees:* they work at least three hours on a day not listed in their contract as a typical working day, in addition to working the days listed as their typical working days that week. Working on these days must be agreed in advance with their line manager.

In the circumstances listed above, employees can claim either a full or half-day of TOIL. This TOIL must be taken within four weeks of it being accrued, at a time agreed in advance with their line manager. You should not make firm commitments until a request for TOIL has been granted.

### **3.12 Reserve Forces**

The Charity supports employees who are also member of the reserve forces. Such employees have specific entitlements relating to time off including arrangements for them returning to work after a period of deployment. Employees who are members of the reserve forces or who are considering joining should discuss the implications with their line manager.

### **3.13 Carer's Leave**

All employees are entitled to one week's unpaid leave in any 12-month period to provide or arrange care for a dependant with a long-term care need. A "week" for these purposes will be equal in duration to the period you are normally expected to work in a week at the time of making the request. How that is calculated will depend on whether you have non-variable or variable hours of work.

A dependant is:

- your spouse, civil partner, child or parent;
- someone who lives in the same household as you, otherwise than by reason of being your boarder, employee, lodger or tenant, or;
- anybody else who reasonably relies on you to provide or arrange their care.

A dependant has a long-term care need if:

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

- they require care for a reason connected with their old age.

The minimum period of carer's leave that can be taken at one time is half a working day, with the maximum period being one continuous week. Leave need not be taken on continuous days.

You must give notice of your request to take a period of carer's leave. This can relate to all or part of the leave to which you are entitled. The notice must:

- Specify that you are entitled to take carer's leave;
- Specify the days on which you would like to take carer's leave and if you will take a full or a half day; and
- Be given with the following minimum notice periods depending on how many days of leave you want to take: Half a day to 1 day - 3 days' notice; 1.5 to 2 days - 4 days' notice; 2.5 to 3 days - 6 days' notice; 3.5 to 4 days - 8 days' notice; 4.5 to 5 days - 10 days' notice; or 6 days (if you work 6 days a week) - 12 days' notice.

The notice does not need to be in writing, but it would be helpful if it was in order to maintain an accurate record of what is being requested.

The Charity may, in our absolute discretion, waive the notice length requirement above, and as long as the other requirements are met, the request will be treated as one for carer's leave.

If the Charity reasonably considers that the operation of the business would be unduly disrupted if your request was granted, we may postpone the start of the carer's leave after consulting with you to agree an alternative date(s) which is/are no later than one month after the earliest day or half day of the request. In these circumstances, the Charity will give written notice to you of the postponement, setting out the reason for the postponement and the agreed dates you can take the leave. This notice will be given no later than the earlier of: (a) seven days after your notice was given to the Charity, or (b) before the earliest day or half day requested in your notice.

# 4

## **FLEXIBLE WORKING AND FAMILY RELATED LEAVE**

*The Charity understands the particular issues faced by employees trying to balance their work and family life. This section sets out the Charity's policies in this area and the specific rights given to new parents.*

### **4.1 Flexible Working**

The Charity will try, subject to the needs of the business, to accommodate requests from employees who wish to make changes to their working hours or place of work.

Requests for a change in working arrangements can be made by any employee with at least 26 weeks' continuous service with the Charity at the time the request is made. Further, only one request per employee may be made in any 12 month period. The request should:

1. be made in writing and state this is a flexible working request;
2. be dated;
3. set out the change requested; including when you would like the change to come into effect; and
4. set out if and when you have made a previous request for flexible working to the Charity.

When a request is received, the employee will be invited to a meeting to discuss the potential change.

The meeting will normally be conducted by the employee's line manager.

The employee will be entitled to be accompanied by a fellow employee to assist in making any representations that may be appropriate.

The application may be refused on one or more of several grounds, these being that the proposed changes will result in:

- a burden of additional cost;
- a detrimental effect on ability to meet customer demand;
- an inability to re-organise work among existing staff;
- an inability to recruit additional staff;
- a detrimental effect on quality;

- a detrimental effect on performance;
- an insufficiency of work during the periods you propose to work;
- a planned structural change; and
- any other ground allowed by regulations.

Before refusing a request, the Charity will consult with you to discuss the application further, which may include exploring any alternatives that may be available. If no agreement is reached and the request is rejected, this will be confirmed in writing and your terms and conditions will remain unchanged, subject to your right to appeal the decision. The process (including any appeal) will be concluded within 2 months of the request being made, unless a longer period is agreed.

Any meetings should take place in a spirit of cooperation with both sides seeking to reach agreement on an appropriate way forward.

Any change in working arrangements which results from this process will be confirmed to you in writing.

This policy will not prevent managers agreeing to ad hoc arrangements from time to time. However, any such arrangement will not amount to a variation in your terms and conditions of employment unless specifically agreed to the contrary and confirmed in writing. The Charity may terminate any such ad hoc agreement at any time and require you to revert to your agreed working arrangements.

As there will inevitably be a limit to the amount of flexibility the Charity can tolerate without detriment to its interests, employees must accept that the fact that a particular working arrangement has been granted to one employee does not oblige the Charity to grant it to another.

## **4.2 Hybrid/Homeworking Policy**

### **About This Policy**

We support hybrid or homeworking in appropriate circumstances, either occasionally (to respond to specific circumstances or to complete particular tasks) or in some cases on a regular (full or part-time) basis. In addition, occasional or permanent homeworking can, in certain circumstances, be a means of accommodating a disability and can be requested as a means of flexible working under our Flexible Working Policy.

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

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

### **Temporary or Occasional Homeworking Arrangements**

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

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

In these circumstances, working at home can be authorised by your line manager where, in their opinion:

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

Your line manager will, where necessary, liaise with the Human Resources Department to confirm arrangements.

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

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

### **Permanent Hybrid or Homeworking Arrangements**

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

You may want to vary your working arrangements so that you may work from home permanently or for a fixed period, or you may wish to work from home for all or part of your working week. Any request to work from home must meet the needs of our business as well as your needs.

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

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

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

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

To be considered for hybrid or homeworking, you must submit a written application to your line manager. Your application must state:



- Why you consider your job to be suitable for hybrid/homeworking and how you meet the criteria set out above;
- The date from which you wish the arrangements to start and, if you wish to work from home for a fixed period, the date on which you want the arrangements to finish. You should try to give us as much notice as possible and, in any event, make your application at least two weeks before your proposed start date so that your request can be considered;
- Whether you wish to work from home for all or part of your working week and, if only part, which days you propose to work from home;
- How you would organise your work from home, including how you would ensure the security of documents and information, where appropriate;
- The extent to which you could be available to come into the workplace on days you are proposing to work from home if needed, for example to cover if colleagues are off sick, to cope with high or unexpected levels of work or to attend meetings or training days;
- If different from your current hours of work, the hours of work that you propose apply when you are working at home; and
- How you envisage maintaining contact with your line manager, how your work will be set, and how progress will be monitored.

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

In considering your application, your line manager may invite you to a meeting to discuss your proposals in line with our Flexible Working Policy. If your request is refused, we will give you written reasons explaining why and you have the opportunity to appeal under the decision under the Flexible Working Policy. We may also ask for you to agree to a home visit by the Health and Safety Officer in order to carry out a risk assessment, install or service equipment, or to reclaim equipment on termination of your homeworking arrangement.

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

### **Conditions and Rules Relating to Hybrid/Homeworking**

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

- We reserve the right to terminate the homeworking arrangements, for example if your role changes such that homeworking is no longer suitable, subject to reasonable notice.
- You will be subject to the same performance measures, processes and objectives that would apply if you worked at our premises.
- If you receive an unsatisfactory grade in an appraisal or are subject to a written warning for any reason, your homeworking arrangements may be terminated immediately, and you will be expected to return to work at our premises.
- Your line manager will remain responsible for supervising you and will regularly review your homeworking arrangements and take steps to address any perceived problems. They will ensure that you are kept up to date with circulars and information relevant to your work.
- You agree to attend the office or other reasonable location for meetings, training courses or other events which we expect you to attend. You understand that when you do attend the office, you may have to hot desk or share a desk with someone else.
- Working at or from home may affect your home and contents insurance policy, mortgage, lease or rental agreement. You must make any necessary arrangements with your insurers, bank, mortgage provider or landlord before commencing homeworking.

### **Requests to Return to Work in the Office**

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

### **Working at Home: Equipment**

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

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

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

### **Working at Home: Data Security and Confidentiality**

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

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

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

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

### **Working at Home: Health and Safety**

When working at home, you have the same health and safety duties as other staff. You must take reasonable care of your own health and safety and that of anyone else who might be affected by your actions and omissions. You must attend/complete the usual office health and safety courses and undertake to use equipment safely.

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

You must not have meetings in your home with customers and must not give customers your home address or telephone number.

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

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

## **4.3 Maternity Leave**

All employees who give birth are entitled to take maternity leave which lasts for a maximum of 52 weeks. Employees with at least 26 weeks continuous

service immediately before the 15th week prior to the expected week of childbirth will also be entitled to be paid Statutory Maternity pay (SMP) for up to 39 weeks of their absence. Because this is a statutory payment there are a number of procedural requirements that must be met in order to make sure that an employee qualifies. The most important requirements are set out below, but if you have any doubts about the rules that apply you should speak to a member of the management team who will make sure that you have all the appropriate information.

### **Notification**

To qualify for maternity leave you must provide the Charity, no later than the end of the 15th week before your EWC (when you are approximately 6 months' pregnant) with the following information:

1. that you are pregnant;
2. the date of the week your baby is due (your expected week of childbirth or EWC);
3. when you intend your maternity leave to start (this date can be changed later – see below); and
4. you must also provide the Charity with the original Maternity Certificate (MAT B1) issued by your doctor.

In some circumstances the Charity may be able to accept other medical evidence of when your baby is due, so if there is any difficulty in providing the MATB1 certificate you should discuss this with your manager.

If you intend to take advantage of the right to shared parental leave, you should inform the Charity of this fact at the same time as you notify the intended start date of your leave.

### **Start of Maternity Leave**

Generally it is up to you to decide when to start your maternity leave. However, your leave cannot begin any earlier than the beginning of the 11th week before your EWC.

Where it is safe to do so, you may choose to continue working right up to your child's birth. However, your maternity leave will begin automatically if you are off sick for a pregnancy-related reason at any stage in the four weeks immediately before your EWC.

If your baby is born before the date that you have notified as the start date for your maternity leave then your maternity leave will begin on the day following the birth.

You may change the date on which you intend to start your maternity leave, but you must notify the Charity of your new start date at least 28 days before the original date given (or the new date, if that is sooner). If there is a reason why you cannot give this notice then you should explain the situation to an appropriate manager and the Charity will attempt to accommodate your changed circumstances. However, the Charity may need to insist on delaying the start of your leave until at least 28 days have passed since your notification of a changed date.

When your baby is born you should inform the Charity of this fact as soon as is reasonable practicable.

### **Duration of Maternity Leave**

The standard length of maternity leave is 52 weeks. Once you indicate the intended start date of your leave, the Charity will send you a written notification of your expected date of return.

Unless you give due notice to the Charity of an earlier date of return, it will be assumed that you intend to take your full 52-week entitlement and you will not be expected back at work before your leave ends. You do not then have to give any notice of your return although it would be sensible to contact your manager some time in advance to discuss any arrangements that may need to be made.

At the end of your maternity leave you are generally entitled to return to the same job as you had before your leave began. If you are away for more than 26 weeks, however, there may be circumstances in which that is not reasonably practicable. In that case, the Charity will provide you with a suitable and appropriate role at the same level of seniority and on no-less favourable terms and conditions.

### **Dismissal or Resignation**

While on maternity leave you remain employed by the Charity and bound by your contract of employment. If you decide that you want to leave your employment you will need to submit your resignation in the normal way.

The Charity will not dismiss you for any reason related to your pregnancy or your exercise of any right which arises from it. However, if separate circumstances require your dismissal (for instance, because of redundancy) then that will bring your maternity leave to an end.

If your position becomes redundant during your maternity leave then you will be offered any suitable alternative work that is available.

## **Statutory Maternity Pay**

Statutory Maternity Pay (SMP) is paid to employees who have at least 26 weeks' service immediately before the 15th week before the expected week of childbirth and whose pay is above the Lower Earnings Limit for paying National Insurance Contributions (this changes each year). Employees who earn below that amount may be entitled to a state benefit called Maternity Allowance. The Charity will provide you with an appropriate form to help you claim this, where appropriate.

To pay SMP, the Charity needs to be given at least 28 days' notice that you intend to claim it. This will normally be given when you inform the Charity of your intended start date for maternity leave. If it is not possible to give 28 days' notice, you should give as much notice as is reasonably practicable.

SMP is paid for a maximum total of 39 weeks. The first 6 weeks are paid at 90 per cent of your normal weekly earnings (this is based on an average of your total earnings in the eight weeks immediately preceding the 14<sup>th</sup> week before your expected week of childbirth) and the remaining 33 weeks are paid at a flat rate specified in legislation (this changes each year).

Your entitlement to SMP will be affected if you undertake any paid work (other than 'Keeping in Touch' days, described below) or are taken into legal custody at any time during your period of SMP entitlement. You should inform the Charity immediately of any such change in your circumstances.

## **Returning to Work Early**

Not every employee will want to take the full 52 weeks of maternity leave. Some may simply want to return to work early and others may wish (with their partner) to take advantage of the right to shared parental leave (see below).

In order to make arrangements to accommodate an early return the Charity is entitled to ask for 8 weeks' notice of the new date, and if that is not given may delay your return until 8 weeks have passed since your notification.

In any event the law requires that you must not be permitted to return to work during the two weeks immediately following the birth.

## **Returning to Work Late**

Following your maternity leave, you are required to return to work on the date notified to you as your expected date of return. If you are unwell on that

date then you should follow the sickness absence procedure set out in Section 3.4 of this handbook.

If you are entitled to begin some other period of leave (such as annual leave or parental leave) then you should ensure that you have followed the appropriate procedure for taking such leave as set out in this handbook.

### **Maternity Suspension (Health and Safety Reasons)**

Depending on the nature of your job, there may be circumstances in which it is unsafe for you to continue working while you are pregnant. In some circumstances the law requires a pregnant employee to be suspended on full pay or transferred to alternative duties. Jobs which may come under this category are identified in the risk assessments that the Charity has carried out under its health and safety policy. If you are affected by any health and safety issues connected with your pregnancy then the Charity will discuss any detailed arrangements that need to be made until it is safe for you to return to your original duties.

## **4.4 Adoption Leave**

Employees who are matched with a child for adoption may be entitled to take up to 52 weeks' adoption leave.

Adoption leave is also available to individuals fostering a child under the "Fostering for Adoption" scheme.

Where two parents are adopting a child, only one of them may take adoption leave, and the other (regardless of gender) is entitled to take paternity leave. If both adoptive parents qualify, they may each take shared parental leave.

The arrangements for taking adoption leave are similar to the arrangements for taking maternity leave, but there are several important differences. The key ones are set out below, but if you believe you are entitled to adoption leave you should discuss the situation with an appropriate manager who will ensure that you have all the necessary information.

### **Notification**

If you intend to take adoption leave you should notify the Charity of this within seven days of being notified that you have been matched with a child for adoption (or as soon as is reasonably practicable).

Your notification should set out:

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

As with maternity leave, you can change your mind about the start date provided the Charity is given at least 28 days – or as much notice as is reasonably practicable.

The Charity is entitled to require proof of the adoption which usually takes the form of a matching certificate provided by the agency placing the child.

Adoption leave is the same in duration as that of maternity leave and will last for 52 weeks unless you choose to return early or take advantage of shared parental leave. You may choose to start the leave from the date when the child is placed with you or at any time in the preceding two weeks.

If, for any reason, the placement is brought to an end – for example because the match turns out to be unsuitable – then adoption leave will continue for 8 weeks beyond the end of the placement. After that period you will be expected to return to work as normal.

### **Statutory Adoption Pay**

The arrangements for statutory adoption pay are similar to those for SMP (set out above).

### **Returning to Work Following Adoption Leave**

Your return to work at the end of your adoption leave is on the same basis as for the end of maternity leave (set out above).

## **4.5 Paternity Leave**

Employees with 26 weeks' continuous service as at the 15<sup>th</sup> week before the expected week of childbirth will be entitled to take paternity leave if they expect to have parental responsibility for a child and they are either the mother's partner or one of the adoptive parents. The purpose of the leave must be either to care for the child or to provide support for the child's mother or adoptive parent. The purpose of the leave must be either to care for the child or to provide support for the child's mother or adoptive parent. This policy relates to a child whose expected week of childbirth (EWC) is after 6 April 2024 or whose placement date, or expected date of entry into Great Britain for adoption, is on or after 6 April 2024. For a child whose EWC or placement date is before this, please speak to your manager in order to discuss your rights regarding paternity leave.

There are a number of administrative requirements that must be met in relation to taking paternity leave and employees should discuss their plans with their line manager at as early a stage as possible. The following paragraphs set out the basic requirements, but there are additional requirements that must be met when adopting a child from overseas and



employees in this position should talk to their manager who will make sure that full information is provided.

Employees entitled to take paternity leave are entitled to two weeks of leave, which can be taken as two consecutive weeks, or two non-consecutive blocks of one week.

Paternity leave cannot start before a child is born and must be taken at some stage within the first year following birth (except when the child is born prematurely in which case the leave must be taken within the 52 weeks following the expected week of childbirth).

Most new parents choose to begin paternity leave on the date their child is born, but you may if you wish begin the leave at any time you choose provided that the whole of the leave is taken by the end of that year. .

In order to qualify for paternity leave you must notify the Charity at least 15 weeks before the expected week of your child's birth or within 7 days of having been notified that a child will be placed for adoption. Your notification should specify how much leave you intend to take and when you intend the leave to begin. Should your plans change, you will need to give the Charity 28 days' notice of any revision.

Paternity leave is payable at the statutory rate, which is subject to change every year. You can check the most up-to-date figure with your line manager.

## **4.6 Parental Leave**

Parental leave is a flexible form of unpaid leave designed to help employees spend time caring for their children. Parental leave can be taken up until the child's 18th birthday and is available to employees who have at least one year's service and who have formal parental responsibility for a child.

The basic entitlement is to 18 weeks of unpaid leave in respect of each child.

Parental leave must usually be taken in blocks of one week or more and no more than four weeks' leave will be granted in a single year. However, more flexibility is available in respect of disabled children and you should discuss your requirements with your line manager if this applies to you.

A request to take parental leave should be submitted 21 days in advance. While the Charity will always try to accommodate requests for parental leave, it has the right to postpone any leave for up to six months in order to accommodate business need.

No postponement will be required if you choose to take your first instalment of leave immediately after the birth or adoption of your child. In such

circumstances you need only inform the Charity of your intention 21 days before the expected date of birth or placement. The leave will then begin automatically when your child is born or placed with you.

Parental leave is an entitlement that can be transferred from one employment to another. You may therefore join the Charity with some outstanding parental leave attaching to a particular child. In such circumstances you should be aware that the qualifying period for taking parental leave still applies and you will need to have been employed for at least one year before you can resume taking parental leave.

## **4.7 Shared Parental Leave**

Shared parental leave is a flexible form of leave available to both parents designed to encourage shared parenting in the first year of a child's life. It allows a more flexible pattern of leave than the traditional arrangement under which the mother takes extensive maternity leave and the father takes a short period of paternity leave.

Employees who give birth or adopt remain entitled to take the full 52 weeks of leave if they choose to do so and the arrangements described above for maternity and adoption leave continue to apply. However, an employee may choose to share part of that leave with their partner provided that certain qualifying conditions are met. When leave is shared in this way, there is no need for the 'primary' leave taker to have returned to work. Both parents can be on leave at the same time, provided that the combined amount of leave taken by the parents does not exceed 52 weeks and provided that all of the leave is taken before the end of 52 weeks following the birth of the child or its placement for adoption.

Generally, parents will qualify for shared parental leave provided that both are working and that each has at least 26 weeks' service with their respective employers. To exercise the right, both parents must inform their employer that they intend to take shared parental leave – usually at the same time as the employer is notified that an employee is pregnant or plans to adopt. They must also give an indication of the pattern of leave that they propose to take.

A parent proposing to take a period of shared parental leave must give the Charity 8 weeks' notice of any such leave. Depending on the circumstances, it may be possible for the Shared Parental Leave to be taken in intermittent blocks, with one parent returning to work for a time before taking another period of shared parental leave. Such an arrangement can only be made with the agreement of the Charity. While every effort will be made to accommodate the needs of individual employees, the Charity may insist on shared parental leave being taken in a single instalment. Any decision as to whether to permit intermittent periods of leave is entirely at the Charity's discretion.

An employee absent on shared parental leave will be entitled to a weekly payment equivalent to the lower fixed rate of SMP. The number of weeks for which payment will be made will vary depending on the amount of SMP paid to the mother while on maternity leave. Essentially, if the mother ends (or proposes to end) her leave with 10 weeks of SMP entitlement remaining, the parent taking shared parental leave will be entitled to be paid for the first 10 weeks of leave.

Because of the number of options available, shared parental leave can be quite a complicated entitlement. If you want to take advantage of shared parental leave you should discuss this with your line manager who will check that you qualify and help guide you through the procedure.

## **4.8 Keeping in Touch Days/Shared Parental Leave Days**

Employees during a period of maternity, adoption or shared parental leave are entitled to 10 keeping in touch days (KIT days). These allow the employee to attend work to catch up on the latest developments, undergo training or some other development activity, or to take part in important meetings without losing their right to subsequent pay entitlements. Employees on shared parental leave are entitled to a further 20 shared parental leave in touch (SPLIT) days.

KIT days and SPLIT days are entirely voluntary and employees will not be required to take part, nor is the Charity under any obligation to arrange for KIT or SPLIT days.

Payment, or equivalent paid time off in lieu for working on such days, will be as agreed between the Charity and the employee at the time the KIT or SPLIT day is arranged, but will be deemed inclusive of any statutory pay entitlement and will not be less than the national minimum wage.

## **4.9 During Maternity/Adoption or Shared Parental Leave**

The Charity is keen to keep in touch with employees who are on extended periods of leave, to inform them of any news and consult them over any changes which may take place in the business. However, we appreciate that many employees would prefer to be left alone at this very important time in their lives. In order to get the balance right, your manager may, before your leave begins, discuss with you how best we can keep in touch while you are away.

Please be aware, however, that if an important issue arises on which you need to be consulted, the Charity may have a legal obligation to discuss the issue with you and keep you informed.



# 5

## HOW WE RESOLVE ISSUES

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*When problems arise in the employment relationship it is important that they are dealt with fairly and promptly. This section sets out the procedures that the Charity will follow in such cases.*

**Recording of meetings:** Due to the confidential nature of disciplinary and grievance proceedings you must not make electronic or audio recordings of any meetings or hearings conducted under the procedures set out in section 5. You should ensure that any companion you may bring with you to such meetings is also aware of this rule.

### 5.1 Performance Improvement Procedure

It is in everybody's interest for employees to perform well at their jobs and the Charity aims to ensure that all employees are given the support needed to ensure that they do so. Where there are issues with performance then the employee should receive feedback from their manager setting out any concerns. Discussions should take place about how that performance can be improved. This procedure is designed to be used when such informal discussions do not lead to the employee's performance improving to an acceptable level.

Where an employee's poor performance is believed to be the result of deliberate neglect, or where serious errors have been made to the detriment of the Charity then it may be more appropriate to use the disciplinary procedure. Which procedure to use shall be at the discretion of the Charity.

The Charity also reserves the right not to follow this procedure in full for employees who are within their first two years of employment with the Charity.

#### **The Right to be Accompanied**

Employees are entitled to be accompanied at any formal meeting held under this procedure by a fellow employee or trade union official of their choice. The Charity will provide any chosen companions with appropriate paid time off to allow them to attend the meeting. It is, however, up to the employee in question to arrange for a companion to attend the meeting.

If your chosen companion cannot attend on the day scheduled for the meeting then the Charity will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not

available within that timescale then you may need to find someone else to take their place.

The Companion's role is to advise you during the meeting and make representations on your behalf. However, both you and your companion are required to cooperate in ensuring a fair and efficient meeting. The companion is not entitled to answer questions on your behalf.

### **Stage One**

The employee's manager will inform them of the nature of the problem and confirm this in writing. The employee will be invited to a formal performance management hearing to discuss the issues raised by the manager's concerns. The invitation will set out the respects in which the line manager believes that the employee's performance still falls short of an acceptable standard. The hearing will be conducted by the employee's line manager and will consider any representations the employee may make about their performance, whether it needs to be improved, and if so what steps can be taken to help the employee reach the appropriate level.

Following discussion of the problem, the line manager may choose to take no further action; to refer the matter for investigation under the disciplinary procedure (if it appears the issues are linked to conduct rather than performance) or to issue a written warning and Performance Improvement Plan which will remain current for a period of 12 months.

### **Performance Improvement Plan**

A Performance Improvement Plan (PIP) is a series of measures designed to help improve the employee's performance. Each measure will ideally be agreed with the employee, though the Charity reserves the right to insist on any aspect of the PIP in the absence of such agreement.

Each PIP will be tailored to the particular situation, but will contain the following elements:

**Timescale:** the overall timescale in which the necessary improvement must be achieved will be set out, together with the timescale for reaching individual milestones where appropriate.

**Targets:** The PIP will specify the particular areas in which improvement is needed and set out how and on what criteria the employee's performance will be assessed. Where appropriate, specific targets will be set which will need to be achieved either by the end of the plan or at identifiable stages within it.

**Measures:** The PIP will specify what measures will be taken by the Charity to support the employee in improving their performance. Such measures may

include training, additional supervision, the reallocation of other duties, or the provision of additional support from colleagues.

**Feedback:** As part of the PIP the employee will be given regular feedback from their line manager indicating the extent to which the employee is on track to deliver the improvements set out in the plan

If at any stage the Charity feels that the PIP is not progressing in a satisfactory way, a further meeting may be held with the employee to discuss the issue. As a result of such a meeting the employer may amend or extend any part of the plan.

### **Review**

At the end of the PIP the employee's performance will be reviewed. If satisfactory progress has been made the employee will be notified of this fact in writing. If the manager feels that progress has been insufficient then they may decide to extend and/or amend the PIP to such extent as seems appropriate. Alternatively the manager may refer the matter to a meeting under Stage Two of this procedure.

Following the successful completion of a PIP the employee's performance will continue to be monitored. If at any stage during the lifetime of the first written warning, the employee's performance again starts to fall short of an acceptable standard, their line manager may decide to institute stage two of this procedure.

### **Stage Two**

If a PIP has not led to sufficient improvement in the employee's performance, the employee will be invited to attend a formal performance management hearing. The invitation will set out the respects in which the line manager believes that the employee's performance still falls short of an acceptable standard.

The hearing will be conducted by a member of the management team or member of the board of trustees.

At the hearing, the employee will be given an opportunity to respond to any criticism of their performance and to make representations about any aspect of the way in which the process has been managed.

If the hearing concludes that reasonable steps have been taken which should have allowed the employee to perform to an acceptable standard but that these measures have not worked then a **formal final warning** may be issued. The warning will explain the nature of the improvement which is required in the employee's performance and state that the improvement must be immediate and sustained. It will also explain that if this improvement does

not take place then the employee may be dismissed. Where it is appropriate, the warning may be accompanied by an extended or revised PIP.

The warning will remain current for a period of 12 months, after which time it will cease to have effect.

### **Stage Three**

If an employee has been issued with a warning under Stage Two which remains current, and the appropriate manager believes that the employee's performance is still not acceptable then the matter may be referred to a further performance management hearing.

The employee will be informed in writing of the grounds of which the hearing is being convened and in particular will be told of the respects in which their performance continues to fall below an acceptable standard.

The hearing will be conducted by an appropriate manager or trustee.

At the meeting the employee will be able to respond to any criticisms made of their performance and make representations about how the situation should be treated.

The manager conducting the meeting may take such action as is judged appropriate up to and including a decision to dismiss the employee.

Any dismissal under this procedure will be with notice or payment in lieu of notice and the decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee.

### **Appeals**

An employee may appeal against any decision taken under this procedure. The appeal should be submitted in writing stating your full grounds of appeal within one week of the decision being communicated. An appeal hearing will then be convened to consider the matter. Any PIP that is in force, together with any measures or objectives included within it, will continue in place during the appeal process.

The outcome of the appeal will be confirmed to the employee in writing explaining the grounds of which the decision was reached. The outcome of the appeal will be final.

### **Redeployment**

There may be circumstances in which it becomes clear that an employee would be better suited to a different role within the Charity. However, any offer to redeploy the employee will be entirely at the Charity's discretion and will only be made when the Charity is confident that the employee will be



able to perform well in the redeployed role and where there is a suitable available vacancy.

Redeployment may be offered as an alternative to dismissal where the Charity is satisfied that the employee should no longer be allowed to continue to work in their current role. While the employee is free to refuse any offer of redeployment, the only alternative available in these circumstances will usually be dismissal.

## **5.2 Sickness Absence Procedure**

The Charity may need to dismiss an employee whose attendance does not meet an acceptable standard either because of a long-term absence or because of a series of short-term absences. Such dismissals do not depend on any wrongdoing on the employee's part and do not mean that the Charity does not accept that their absences are genuinely due to illness or injury. Rather, dismissal is recognition that unfortunately the employee is no longer able to perform their role, or attend work on a sufficiently regular basis to make their continued employment a viable option.

### **Short-term Absence**

An employee who is absent on more than three occasions within a six month period will be invited to a meeting to discuss their attendance.

The meeting will usually be conducted by the employee's line manager and the employee will have a right to be accompanied by a fellow employee or a trade union official on the same basis as set out in the performance management procedure.

At the meeting the employee will be asked to explain the level of their absence. Where there is any indication that the absences are caused by an underlying medical condition then the matter may be dealt with under the procedure for long-term absence set out below. The Charity may also seek medical evidence from either the employee's doctor or an occupational health specialist in which case the meeting will be adjourned for a report to be obtained

Subject to any medical evidence, the manager conducting this first-stage meeting may decide to issue a warning to the employee setting out the Charity's expectations regarding attendance and indicating the level of improvement needed. A review period will normally be set which may range from one month to 12 months depending on the circumstances.

If the employee's attendance does not improve to the extent required they may at any stage in the review period be invited to attend a second-stage meeting to discuss the matter. The meeting will again be conducted by the

line manager and the employee will be entitled to be accompanied by a fellow employee or trade union official. This meeting may result in an extension of the review period or the issuing of a final written warning requiring the employee's attendance to improve and setting out the level of improvement required over a specified period of up to one year.

If the employee does not meet this standard and there is no underlying condition where reasonable adjustments would assist the employee to attend then they may be dismissed. A final meeting will be convened which shall be conducted by a manager with appropriate authority to dismiss and will consider any representations made by or on behalf of the employee who will once again have the right to be accompanied by a fellow employee or trade union official.

Any dismissal arising out of this meeting will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within five working days of the decision being communicated.

### **Long-term Sickness Absence**

Where an employee is absent for an extended period – or it is clear that their absence is likely to continue for some time – then the Charity will want to investigate the prospects for their return and consider what actions can be taken to facilitate this. The extent to which the Charity can continue to accommodate an employee's absence will depend on a range of factors, including the role of the employee and the prevailing circumstances of the business.

The Charity may seek medical advice as to the employee's condition either from the appropriate professionals caring for the employee or from a specialist occupational health practitioner. The focus will be on ascertaining when the employee will be able to return to work and what steps the Charity can take to facilitate this.

An employee is not obliged to consent to any medical reports or records being shared with the Charity as part of this process. However, in the absence of medical evidence the Charity will have to work on the basis of what information is available in reaching its decision.

One or more meetings will be arranged with the employee to discuss their condition, the prospects for any return to work, and whether anything more can be done by the Charity to help. The employee will be entitled to be accompanied at the meeting by a fellow employee or trade union official.

Every effort will be made to make suitable arrangements for the meeting to allow the employee to attend. Where the employee is simply too ill to take

part in the process, however, the Charity may proceed to dismissal in the absence of a meeting taking into account any representations made on the employee's behalf.

Where it appears that the employee will be unable to return to work within a reasonable time frame then the Charity may need to consider dismissal. Any dismissal will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within one week of the decision being communicated. You should submit your appeal in writing stating your full grounds of appeal.

The Company reserves the right not to follow these procedures in full for employees who are within their first two years of employment with the Company.

## **5.3 Disciplinary Procedure**

The Charity always tries to deal with disciplinary issues fairly and promptly. This procedure sets out the framework under which allegations of misconduct will be investigated and considered. While the procedure set out in this policy will be appropriate in most cases, there may be situations in which it is not practicable to comply with a particular requirement of it. When this happens the Charity will do its best to deal with the matter fairly and will pay particular attention to the need to give the employee every opportunity to explain their version of events.

The Charity reserves the right not to follow this procedure in full for employees who are within their first two years of employment with the Charity.

### **Definition of Misconduct**

Behaviour which is disruptive, disrespectful to colleagues, or which falls short of the requirements set out in this handbook will be treated as misconduct under the disciplinary procedure. While employees will not usually be dismissed for a first offence a failure to remedy the behaviour or to adhere to required standards may ultimately lead to dismissal once appropriate warnings have been given.

### **Definition of Gross Misconduct**

Gross misconduct is behaviour which is fundamentally at odds with the employee's duty to the Charity and their colleagues. In accordance with the

disciplinary procedure, gross misconduct will usually result in dismissal without notice, or payment in lieu of notice, even in cases of a first offence.

It is not possible to list every example of gross misconduct which may arise, but the following provides an illustration of the sort of conduct that will fall into this category – some of which are then explained in more detail below:

- Theft;
- Fraud, forgery or other dishonesty, including fabrication of expense claims and time sheets;
- Unlawful discrimination, harassment, including sexual harassment, or victimisation ;
- Refusal to carry out reasonable instructions;
- Violent or intimidating behaviour;
- Wilful damage to property;
- Causing loss, damage or injury through serious negligence;
- Serious misuse of our property or name;
- Serious insubordination;
- Reckless behaviour posing a risk to health and safety;
- Any act or omission constituting serious or gross negligence/or dereliction of duty;
- Sleeping on duty;
- Bringing the organisation into serious disrepute;
- Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure;
- Recording audio and/or video of any meeting, conversation or discussion with another person or people without the express prior consent of the person or people being recorded;
- Making untrue allegations in bad faith against a colleague;
- Making a disclosure of false or misleading information under our Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith;

- Repeatedly working from home contrary to the terms of your employment contract and without the prior written approval of management;
- Failing to work your contractual hours while working from home or as part of a hybrid working arrangement, or giving false or misleading information relating to your hours of work and activities while working from home;
- Any illegal act during working time or on Charity premises; and
- Any act described as gross misconduct elsewhere in this handbook.

### **Dishonesty**

It is important to stress that any form of dishonesty, however minor, will be regarded as gross misconduct. This includes theft of property, whether belonging to the Charity, colleagues or any third party. However, it also includes an employee seeking to gain any advantage through deception - such as making a false claim for expenses or overtime, falsely claiming to be sick or falsely claiming to have completed a particular task.

It does not matter if any amount of money at issue is small. The Charity regards any dishonesty by employees as gross misconduct which will usually result in dismissal.

### **Refusal to carry out instructions**

The Charity expects employees to work in a spirit of cooperation with their colleagues and managers for the good of the business as a whole. Employees are required to carry out their managers' instructions and a deliberate and wilful refusal to do so will be gross misconduct.

If you believe that you have been instructed to do something that does not fall within your duties or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see Section 5.4). However, doing so will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

### **Informal Action**

Most minor acts of misconduct can be dealt with informally through discussions between an employee and their line manager. This may consist of management guidance or an informal warning given orally or in writing.

These steps are an everyday part of the management process and no formal procedure needs to be followed in respect of them.

Where informal action of this kind fails to resolve an issue, or where the misconduct alleged is considered too serious, then the matter will be dealt with formally under this procedure.

### **Investigation**

If it is alleged that you have committed misconduct, an appropriate investigation will be carried out aimed at gathering all of the relevant evidence. You may be interviewed as part of this investigation and will have the opportunity to point the investigator towards any evidence that you feel is relevant. The right to be accompanied (see below) does not apply to any investigatory interview.

### **Suspension**

If an allegation of misconduct is made against you, then you may be suspended from your duties on full pay while the matter is being dealt with. The Charity will make every effort to ensure that any period of suspension is kept as short as possible. The purpose of a suspension is either to allow an unhindered investigation to take place, or to protect the interests of the Charity and its employees. During any period of suspension you may be instructed not to contact other members of staff except for the purposes of preparing for any disciplinary hearing, where specific arrangements will be made with you. This is not a disciplinary sanction and should not be seen as a predetermination of any disciplinary process.

### **Hearing**

Once the investigation has been carried out, the investigating officer will make a decision about whether there is sufficient evidence to warrant a disciplinary hearing. If there is you will be informed of this and an appropriate date for the hearing will be arranged. This will take place within normal working hours wherever possible.

To ensure that you have adequate time to prepare for the hearing, the Charity will provide you in advance with a copy of all of the written evidence that will be considered at the hearing. In exceptional cases the Charity may need to withhold the identities of certain witnesses or hold back sensitive items of evidence. This will only be done where it is considered necessary to protect individuals or the essential interests of the Charity and every effort will be made to ensure that you are given as much information as possible so that a fair hearing can be conducted.

You will be given sufficient notice of any hearing to allow you to prepare for it. While this will vary from case to case, the Charity will generally try to give at least two days' notice of any hearing and in complicated cases a longer period of notice may be given.

The purpose of the hearing will be to consider the evidence gathered during the investigation and to consider any representations made by you or on your behalf. The hearing will be conducted by an appropriate manager or trustee who, wherever possible, has not previously been involved in the case and who was not responsible for carrying out the investigation.

### **The Right to be Accompanied**

Employees are entitled to be accompanied at any disciplinary hearing by a fellow employee or trade union official of their choice. The Charity will provide any chosen companion with appropriate paid time off to allow them to attend the hearing. It is, however, up to the employee in question to arrange for a companion to attend the hearing.

If your chosen companion cannot attend on the day scheduled for the hearing then the Charity will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The companion's role is to advise you during the hearing and make representations on your behalf; it is not to answer questions for you. However, both you and your companion are required to cooperate in ensuring a fair and efficient hearing. The companion cannot answer questions on your behalf.

### **Evidence**

The hearing will consider any evidence you choose to present. Should witnesses be prepared to appear on your behalf they will be permitted to do so provided that their evidence is relevant to the issues that need to be decided. The Charity will not compel or require any employee to appear as a witness on your behalf and in most circumstances evidence arising from the investigation will be presented in written form. You will be entitled to challenge any of the evidence presented but will not be entitled to cross-examine witnesses.

### **Disciplinary Action**

After considering all of the evidence, including any submissions made by you or on your behalf, the manager conducting the hearing will decide on the

outcome. If misconduct is found to have taken place then the usual outcome will be a **written warning** which will be placed on your personnel file.

A warning will stay active for a period of 1 year, after which it will not be taken into account in any future disciplinary action.

If however a further instance of misconduct is found to have occurred (in accordance with this procedure) during the currency of a warning – or if any misconduct is considered to be serious enough to warrant it – then, subject to the formal process above being followed, you will be issued with a **final written warning**.

A **final written warning** will usually remain active for one year, but a longer period may be specified if the manager conducting the hearing feels that the circumstances warrant it.

An employee who is found to have committed further misconduct during a period covered by a final written warning will, following a hearing conducted in accordance with this procedure, generally be dismissed.

### **Dismissal**

An employee will not normally be dismissed under this procedure for a single instance of misconduct unless a final written warning is already in place. However, where gross misconduct is found to have occurred then dismissal without notice or payment in lieu will be the usual outcome.

Gross misconduct is misconduct that is so serious that it fundamentally undermines the relationship between employer and employee. If you are accused of gross misconduct this will be made clear when you are invited to a disciplinary hearing. A wide range of behaviours can amount to gross misconduct but the most common involve dishonesty, violent or aggressive behaviour, the wilful destruction of Charity property or a deliberate refusal to obey a reasonable instruction.

### **Appeal**

An employee may appeal against the outcome of a disciplinary hearing by doing so in writing stating your full grounds of appeal within one week of being notified of the outcome. The person to whom an appeal should be directed will be detailed in the disciplinary outcome letter. An appeal hearing will be convened and conducted by an appropriate member of the management team or member of the board of trustees.

The appeal will consider any grounds the employee chooses to put forward and they will have the same right to be accompanied as at a disciplinary hearing. The result of the appeal hearing will be final.



## **Employee Absence**

It is important that disciplinary issues are dealt with promptly. The Charity may therefore need to proceed with a disciplinary hearing even if the employee is absent due to ill health or simply does not attend. Before hearing the matter in an employee's absence, the Charity will attempt to arrange the hearing in such a way that the employee will be able to attend or to submit written representations to the hearing and/or to arrange for an appropriate representative to attend the hearing on their behalf.

## **5.4 Grievance Procedure**

The Charity aims to be responsive to concerns raised by employees and if you are unhappy with something affecting you at work you are encouraged to raise this with your line manager. If that is not possible then you should speak to a member of the management team or board of trustees who will try to assist you in resolving any issue you may have. The following procedure is designed to be used when these informal attempts to resolve any dispute have not been successful.

Examples of issues that could be dealt with under the grievance procedure include:

- a. terms and conditions of employment;
- b. health and safety;
- c. work relations;
- d. bullying and harassment;
- e. new working practices;
- f. working environment;
- g. organisational change; and
- h. discrimination.

The Grievance Procedure should not be used to complain about issues which do not directly relate to, or impact on, you and your work/ working environment.

The Grievance Procedure should not be used to complain about disciplinary action, reasonable action taken under the Performance Management Procedure or Sickness Absence Procedure. Any such complaints should be dealt with under the relevant appeal procedure.

## **Raising a Grievance**

If you feel that the matter needs to be raised formally you should raise a grievance by making a written complaint, stating that it is being made under this procedure. You should give as much information about your grievance, including any relevant dates and times, as you can, so as to allow for any investigation into your concerns to take place.

A grievance will normally be dealt with by your line manager and should be addressed to them directly. Where the grievance is directly concerned with your line manager's behaviour, however, you should submit your grievance to another member of the management team or board of trustees who will arrange for somebody who is not directly involved in the issue to deal with it.

## **Grievance Hearing**

A grievance hearing will then be arranged so that you can explain the issue and suggest how it can be resolved. There may be some cases where your grievance can be dealt with in writing, subject to your agreement. You will have the right to be accompanied by a fellow employee or trade union official to any grievance hearing. The manager conducting the hearing will consider what you have said and may either deal with the matter immediately or decide to carry out further investigations. In that case the hearing will be adjourned until the investigation has been completed.

Once the investigations are concluded, if new information comes to light, if it is considered appropriate, you may be invited in to a reconvened meeting, to have the opportunity to consider and respond to the findings of the investigation. Following this a decision on the outcome of your grievance will be made.

## **Allegations of Misconduct**

Where an employee is making allegations of misconduct on the part of other employees then the Charity may need to carry out an investigation into the allegations and pursue the matter through the disciplinary procedure. Where this happens the grievance will be held over until the disciplinary process has been concluded and it may not be possible for the Company to provide you with specific detail in relation to what disciplinary action, if any, has been taken.

## **Relationship with Other Procedures**

Where your grievance relates to the conduct of other procedures such as the disciplinary or performance management procedures then the Charity may choose to either delay the consideration of the grievance until that procedure has been completed or to deal with the grievance in the course of that procedure or by way of appeal if that appears to be a fairer or more straightforward way of dealing with the issue.

### **Appeals**

If you are dissatisfied with the outcome of a grievance then you may appeal. You should submit your appeal in writing stating your full grounds of appeal within one week of being informed of the outcome of your grievance. Your appeal should be directed to the person named in the grievance outcome letter. An appeal hearing will then be convened and conducted by an appropriate member of the senior management team. You will have the right to be accompanied at the appeal by a fellow employee or trade union official. The outcome of any appeal will be final.

# 6

## **EQUAL OPPORTUNITIES, DIVERSITY & INCLUSION**

### **6.1 Equal Opportunities Statement**

We are committed to encouraging equality, diversity and inclusion among our workforce, The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

We are fully committed to:

- Treating all of our employees and job applicants equally in all aspects of employment including: recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.
- Creating a working environment that is free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
- Training managers and all other employees about their rights and responsibilities under this equal opportunities, diversity & inclusion policy.
- Employing, training and promoting employees on the basis of their experience, abilities and qualifications, without regard to race, religion or belief, sex, sexual orientation, pregnancy or maternity, gender reassignment, age, marriage and civil partnership or disability. In this policy these are known as the "Protected Characteristics".
- Making opportunities for training, development and progress available to all employees, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the company.

We will not condone any form of harassment, whether engaged in by employees or by outside third parties who do business with us, such as clients, customers, contractors and suppliers.

Employees have a duty to co-operate with us to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under our Disciplinary Procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious

breaches of this policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal.

All employees should understand they, as well as the Company, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.

You should draw to the attention of your line manager any suspected discriminatory acts or practices or suspected cases of harassment. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as potential gross misconduct. Employees should support colleagues who suffer such treatment and are making a complaint.

### **Discrimination**

You must not unlawfully discriminate against or harass other people, including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination – when someone is treated less favourably than another person because of a Protected Characteristic.
- Associative discrimination or discrimination by association – direct discrimination against someone because they associate with another person who possesses a Protected Characteristic.
- Discrimination by perception – direct discrimination against someone because it is thought that they possess a particular Protected Characteristic even if they do not actually possess it.
- Indirect discrimination - occurs where an individual's employment is subject to an unjustified provision criterion or practice which e.g. one sex or race or nationality or age group finds more difficult to meet, although on the face of it the provision, criterion or practice is 'neutral'.
- Harassment – unwanted conduct related to a relevant Protected Characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. You may

complain of such offensive behaviour even if it is not directed towards you personally.

- Victimisation – when an employee is treated less favourably because they have made or supported a complaint or raised a grievance about unlawful discrimination or are suspected of doing so.
- Disability discrimination: this includes direct and indirect discrimination, any unjustified unfavourable treatment because of something arising in consequence of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

## **Our Commitment**

### **Recruitment**

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant abilities and qualifications. We are committed to applying our equal opportunities policy statement at all stages of recruitment and selection.

Recruitment publicity will aim to positively encourage applications from all suitably qualified people when advertising job vacancies, in order to attract applications from all sections of the community.

Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular Protected Characteristics. However, where having regard to the nature and context of the work, having a particular Protected Characteristics is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, we will apply that requirement to the job role and this may therefore be specified in the advertisement.

The selection process will be carried out consistently for all jobs at all levels. We will ensure that this equal opportunities policy is available to all staff, and in particular is given to all staff with responsibility for recruitment, selection and promotion.

The selection of new staff will be based on job requirements and the individual's suitability and ability to do, or to train for, the job in question. Person specification and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment, promotion or transfer will be assessed objectively against the requirements of the job.

With disabled job applicants, we will have regard to our duty to make reasonable adjustments to work provisions, criteria and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

All applications will be processed consistently. The staff responsible for short listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. All questions that are put to the applicants will relate to the requirements of the job.

### **Training, transfer and promotion**

We will take such measures as may be necessary to ensure the proper training, supervision and instruction for all line managers in order to familiarise them with our policy on equal opportunities, and in order to help them identify discriminatory acts or practices and to ensure that they promote equal opportunity within the departments for which they are responsible. The training will also enable line managers to deal more effectively with complaints of bullying and harassment.

We will also provide training to all employees to help them understand their rights and responsibilities under the equal opportunities and anti-harassment policies and what they can do to create a work environment that is free of bullying and harassment.

All persons responsible for selecting new employees, employees for training or employees for transfer or promotion to other jobs will be instructed not to discriminate because of one or more of the Protected Characteristics. Where a promotional system is in operation, the assessment criteria will be examined to ensure that they are not discriminatory. The promotional system will be checked from time to time in order to assess how it is working in practice.

When a group of workers who predominantly have a particular Protected Characteristic appear to be excluded from access to promotion, transfer and training and to other benefits, our systems and procedures will be reviewed to ensure there is no unlawful discrimination.

### **Terms of employment, benefits, facilities and services**

All terms of employment, benefits, facilities and service will be reviewed from time to time, in order to ensure that there is no unlawful discrimination on the grounds of one or more of the Protected Characteristics.

### **Equal pay and equality of terms**

We are committed to equal pay in employment. We believe our male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, we will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

### **Disability**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

## **6.2 Policy on the Recruitment of Ex-Offenders**

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), The Charity complies fully with the code of practice and undertakes to treat all applicants for positions fairly

The Charity undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed

The Charity can only ask an individual to provide details of convictions and cautions that The Charity are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).

The Charity can only ask an individual about convictions and cautions that are not protected.

The Charity is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation,



responsibilities for dependants, age, physical/mental disability or offending background.

The Charity actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

The Charity select all candidates for interview based on their skills, qualifications and experience.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

The Charity ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

The Charity also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, The Charity ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

The Charity undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

## **6.3 Menopause Policy**

We are committed to supporting staff affected by the menopause. We recognise that many members of staff will experience the menopause and that, for some, menopause will have an adverse impact on their working lives.

All women will experience menopause at some point during their life. Menopause can also impact trans and non-binary people who may not identify as female. Most of those who experience menopause will do so between the ages of 45 and 55. However, some start experiencing symptoms much earlier.

Often, symptoms last between four to eight years, but they can continue for longer.

The majority of those going through menopause will experience some symptoms, although everyone is different and symptoms can fluctuate. Symptoms can include, but are not limited to, sleeplessness, hot flushes, memory loss or poor concentration, headaches, muscle and joint pains, depression and anxiety.

Menopause is preceded by perimenopause, during which the body prepares itself for menopause. Perimenopause can also last several years and can involve similar symptoms to menopause itself. For the purpose of this policy, any reference to menopause includes perimenopause.

### **Open Conversations**

Menopause is not just an issue for women. All staff should be aware of menopause so that they can support those experiencing it or otherwise affected by it.

We encourage an environment in which colleagues can have open conversations about menopause. We expect all staff to be supportive of colleagues who may be affected by menopause in the workplace.

Anyone affected by menopause should feel confident to talk to **their line manager** about their symptoms and the support they may need to reduce the difficulties menopause can cause them at work.

Line managers and the HR Department should be ready to have open conversations with staff about menopause and what support is available. These conversations should be treated sensitively and any information provided should be handled confidentially and in accordance with our Data Protection Policy.

### **Risk Assessments**

We are committed to ensuring the health and safety of all our staff and will consider any aspects of the working environment that may worsen menopausal symptoms. This may include identifying and addressing specific risks to the health and well-being of those experiencing menopause.

## Support and Adjustments

While many who experience menopause are able to carry on their working lives as normal, we recognise that others may benefit from adjustments to their working conditions to mitigate the impact of menopause symptoms on their work. If you believe that you would benefit from adjustments or other support, you should speak to your line manager in the first instance. If you feel unable to do so, you should contact a member of the Executive Management Team.

Physical adjustments could include temperature control, provision of electric fans or access to rest facilities. Depending on individual and business needs, adjustments such as flexible working, we may also consider more frequent rest breaks or changes to work allocation. These are examples only and not an exhaustive list.

We may refer you to a doctor nominated by us or seek medical advice from your GP to better understand any adjustments and other support that may help alleviate symptoms affecting you at work.

## 6.4 Bullying and Harassment

We are committed to providing a working environment free from harassment and bullying and ensuring all staff are treated, and treat others, with dignity and respect. This includes harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions or on social media.

It covers harassment and bullying by staff (which may include consultants, contractors and agency workers) and also by third parties such as clients, customers, suppliers or visitors to our premises.

[We have carried out an assessment to assess the risk of sexual harassment (including third party sexual harassment) [and other different forms of harassment] occurring in our workforce, including in different roles [and departments], the steps we could take to reduce those risks and which of those possible steps are reasonable. This risk assessment will be reviewed [regularly OR annually].]

### What is harassment?

Harassment is any unwanted physical, verbal or non-verbal **conduct** that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating

someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve **conduct**:

- **related to a protected characteristic** of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation;
- of a sexual nature (**sexual harassment**); or
- of **treating someone less favourably because they have submitted, or refused to submit to, sexual harassment or harassment related to sex or gender reassignment** e.g. where a manager gives a junior employee a poor performance review because they rejected the manager's sexual advances.

Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include (this is a non-exhaustive list), for example:

- a. racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender;
- b. disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes;
- c. offensive e-mails, text messages or social media content; or
- d. mocking, mimicking or belittling a person's disability.

Sexual harassment does not need to be sexually motivated; it only needs to be sexual in nature and may include (this is a non-exhaustive list), for example:

- a. unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- b. continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- c. sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);

- d. unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- e. intrusive questions about a person's private or sex life or a person discussing their own sex life; or
- f. sending sexually explicit e-mails or text messages or sexual posts/contact on social media.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

### **What is victimisation?**

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- a. Bringing proceedings under the Equality Act 2010.
- b. Giving evidence or information in connection with proceedings under the Equality Act 2010.
- c. Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- d. Alleging that a person has contravened the Equality Act 2010.

Victimisation may include (this is a non-exhaustive list), for example:

- a. Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment/sexual harassment.
- b. Excluding someone because they have raised a grievance about harassment/sexual harassment.
- c. Failing to promote someone because they accompanied another staff member to a grievance meeting.
- d. Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.

**Harassment/sexual harassment and victimisation are unlawful and will not be tolerated.** The law requires employers to take reasonable steps to prevent

sexual harassment of workers in the course of their employment. All staff are encouraged to report any harassment/sexual harassment or victimisation they are a victim of, or witness, in accordance with this policy.

Harassment/sexual harassment or victimisation may lead to disciplinary action up to and including dismissal without notice if they are committed:

- a. In a work situation.
- b. During any situation related to work, such as at a social event with colleagues.
- c. Against a colleague or other person connected to us outside of a work situation, including on social media.
- d. Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

If any harassment/sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

#### **What is third-party harassment?**

Third-party harassment occurs where a person is harassed/sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation, or unwelcome sexual advances, from a client, customer, supplier or visitor visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

While an individual cannot bring a claim for third-party harassment alone, it can still result in legal liability when raised in other types of claim and will not be tolerated. The law requires employers to take reasonable steps to prevent sexual harassment by third parties. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy. Any harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal.

## **What is bullying?**

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include (this is a non-exhaustive list), by way of example:

- (a) physical or psychological threats;
- (b) overbearing and intimidating levels of supervision;
- (c) inappropriate derogatory remarks about someone's performance;

However, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

## **If you are being harassed/sexually harassed/victimised/bullied**

If you are being harassed/sexually harassed/victimised/bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your line manager who can provide confidential advice and assistance in resolving the issue formally or informally. If informal steps are not appropriate, or have not been successful, you should raise the matter formally under **our Grievance Procedure** and it will be dealt with under that procedure, taking into account the below.

We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.

If the harasser or bully is a third party such as a customer, supplier or other visitor, we will consider what action may be appropriate to protect you and other staff pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

Once the investigation is complete, we will inform you of our decision. If we consider that there is a case to answer and the harasser or bully is an employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct.

The outcome of our investigation may be put on hold while disciplinary action is taken. Where the disciplinary outcome is that harassment/sexual harassment/victimisation/bullying occurred, prompt action will be taken to address it. We will also consider what additional measures need to be taken to prevent future sexual harassment of staff.

Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

### **Protection and support for those involved**

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

We will review this policy regularly and monitor its effectiveness. This will include monitoring the treatment and outcomes of any complaints of harassment, sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed.

We offer access to confidential employee support/counselling, which is available on request for anyone affected by, or accused of, harassment/sexual harassment or bullying. The helpline number is 0800 028 0199. This is available 24/7.

Support and guidance can also be obtained from the following external services:

- a. The Equality Advisory and Support Service ([www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)).
- b. Protect ([www.protect-advice.org.uk](http://www.protect-advice.org.uk)).
- c. Victim support ([www.victimsupport.org.uk](http://www.victimsupport.org.uk)).
- d. Rights of women (England and Wales) ([www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk))

### **Record-keeping**



Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

## **6.5 Monitoring equal opportunities and dignity at work**

We will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices. If changes are required, we will implement them. We will also make reasonable adjustments to our standard working practices to overcome barriers caused by disability.

### **Breaches of this Policy**

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or Bullying & Harassment Procedure. Complaints will be treated in confidence and investigated as appropriate.

You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately will be treated as misconduct and dealt with under our Disciplinary Procedure.

### **Related Policies**

This policy is supported by the following other policies and procedures (also in the Employee Handbook):

- (a) Grievance Procedure.
- (b) Disciplinary Procedure.
- (c) Flexible Working Procedure.
- (d) Maternity, Paternity, Adoption and Shared Parental Leave Policies.
- (e) Parental Leave Policy.
- (f) Emergency Time Off for Dependants Policy.
- (g) Data Protection Policy.

