

LEDBURY TOWN COUNCIL

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26 February 2021

TO: Councillors Bannister, Eakin, Harvey, Knight and Vesma (Town Mayor)

Dear Member

You are hereby summoned to attend a meeting of the **Resources Committee** which will be held via Zoom on **Thursday, 4 March at 7.30 pm** for the purposes of transacting the business set out below.

During the Covid-19 Pandemic meetings will take place via Zoom.

Members of the public will be able to watch the non-confidential part of the meeting live on the Council's Facebook Page at the link below.

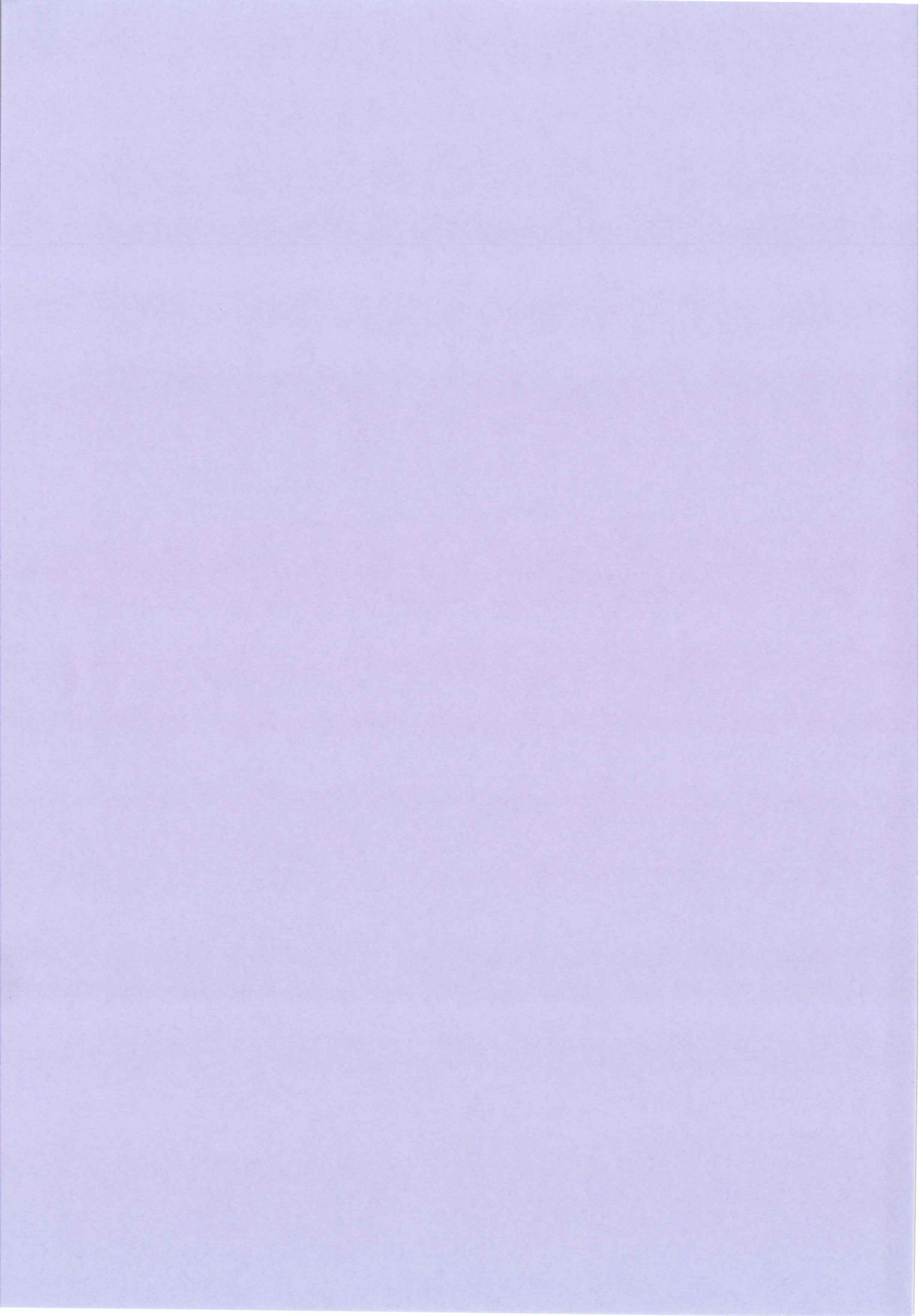
<https://www.facebook.com/Ledbury-Town-Council-1834014213360154/?ref=bookmarks>

Yours faithfully

Angie Price
Clerk

A G E N D A

1. **To receive apologies for absence**
2. **To receive declarations of interest and written requests for dispensations**
(Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by Ledbury Town Council's Code of Conduct for Members and by the Localism Act 2011)
(Note: Members seeking advice on this item are asked to contact the Monitoring Office at least 72 hours prior to the meeting)



3. **To approve as a correct record the minutes of an extraordinary meeting of the Resources Committee held on 7 March 2021** (Pages 312-316)

4. **Health & Safety Issues** (Pages 317-318)

1. Report on Painted Room attendance
2. Office Windows (Verbal Report)

5. **Council Policies** (Pages 319-346)

1. Draft Agile Working
2. Draft Annual Leave
3. Draft Anti-Harassment & Bullying
4. Draft Redundancy
5. Draft Shared Parental Leave Policy

6. **Date of next meeting**

To note that the date of the next meeting of the Resources Committee will be agreed at the Annual Council meeting on 13 May 2021.

7. **Exclusion of Press and Public**

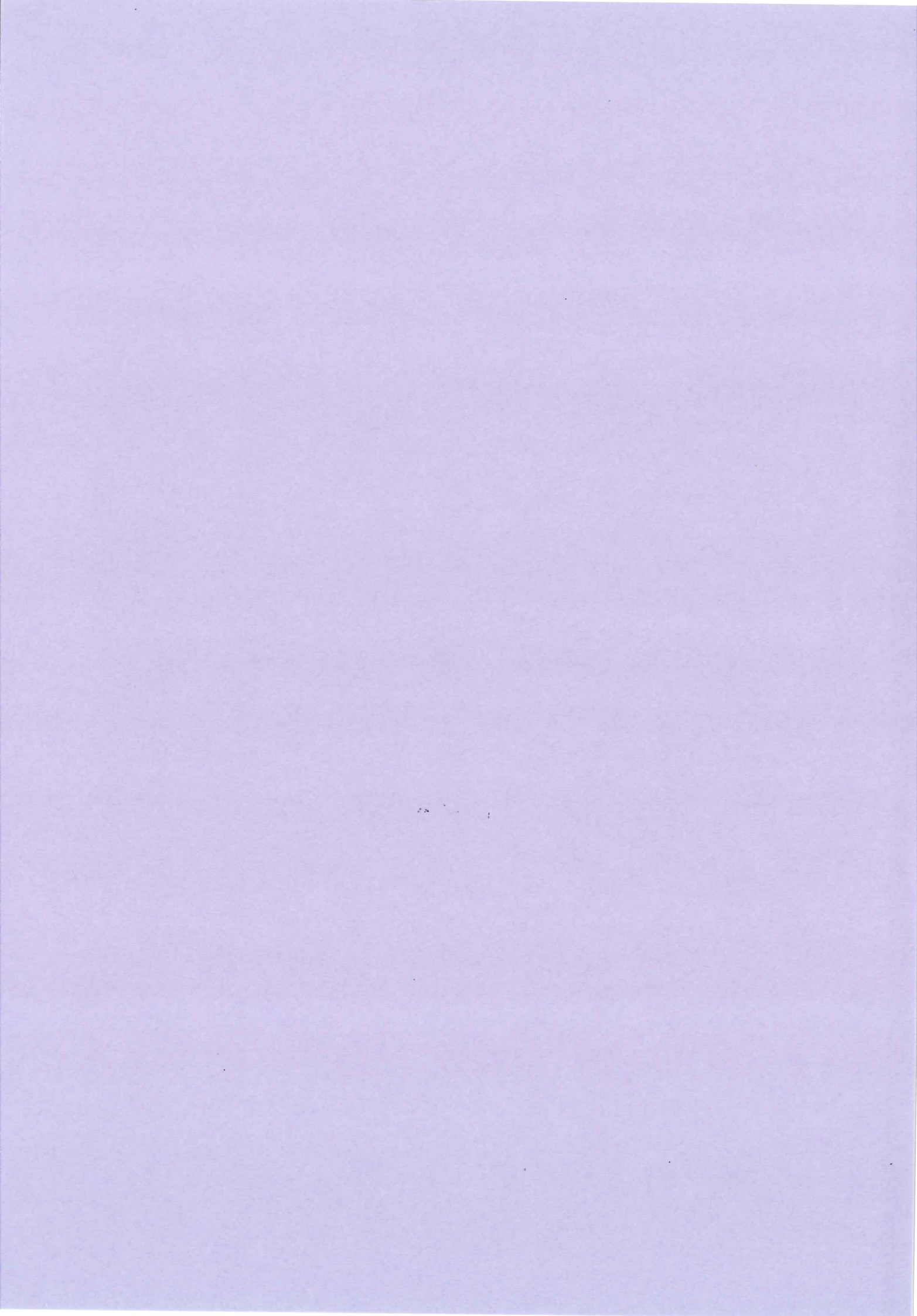
In accordance with Section 912) of the Public Bodies Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting

8. **Review of Job Descriptions** (Pages 347-359)

1. **Administrative Officer**
2. **Receptionist/Administrative Assistant & Civic Support**

Distribution: Full agenda to: - Committee members (5)

Agenda front pages to all non-committee members (5)



LEDBURY TOWN COUNCIL

**MINUTES OF A MEETING OF THE RESOURCES COMMITTEE HELD 7
JANUARY 2021 VIA VIRTUAL MEANS**

PRESENT: Councillors Bannister, Harvey, Knight and Vesma (Town Mayor & Chair)

ALSO PRESENT: Angela Price – Town Clerk

R100. APOLOGIES

Apologies were received from Councillor Eakin.

R101. DECLARATIONS OF INTEREST

None received

**R102. TO APPROVE AS A CORRECT RECORD THE MINUTES OF AN
EXTRAORDINARY MEETING OF THE RESOURCES COMMITTEE
HELD ON 24 NOVEMBER 2020**

The Clerk advised that the minutes stated that Councillor Morris had been present at the meeting. however, Councillor Morris had not been present at the meeting.

RESOLVED: That the minutes of the meeting of the Resources Committee held on 24 November 2020 be approved and signed as a correct record subject to the above amendment.

R103. HEALTH AND SAFETY ISSUES

The Clerk advised that some plaster had fallen from the Market House over the Christmas break. She advised that a temporary repair was scheduled for Thursday, 14 January 2021 and that she had asked the Deputy Clerk to obtain quotes for a permanent repair to this and the panel at the opposite end of the Market House to be scheduled in the spring. She advised that they were also asking the quotes to include work to the Market House that had been identified in the last Quinquennial Report, as it made sense to have all the works done whilst scaffolding is in place.

R104. DATE OF NEXT MEETING

RESOLVED:

That it be noted that the next meeting of the Resources Committee is scheduled for 4 March 2021.

R105. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, in the public interest the press and public were excluded from the remainder of the meeting.

R106. **FUTURE STAFFING STRUCTURE**

At the meeting of the Resources Committee held on 24 November 2020 the Clerk was requested to undertake a market analysis and costing out of different roles as suggested and provide the various options discussed and submit these to a meeting of the Resources Committee for consideration on 7 January 2021.

The Clerk had provided three options for consideration in respect of a possible future staff structure along with a report providing an explanation in respect of the reasoning for each option.

The Clerk advised that the proposed staff structure did mean that there would need to be consultation with other members of staff going forward.

During discussions on the various options and proposed Job Descriptions/Person Specifications Members proposed a number of amendments/additions to the documents. Councillor Knight asked whether the proposed additional posts should be full time or whether they could be part time roles.

Members expressed a preference for Option 1 of the proposed staffing structure but suggested one small amendment for the Clerk to make in respect of line management roles.

RESOLVED:

1. **That the Clerk amend the job descriptions and person specifications for the two newly proposed roles and email them to committee members for further consideration and comment.**
2. **That Members provide the Clerk with any further comments or amendments in relation to the job descriptions/person specifications and once received the Clerk include those amendments and submit them to the meeting of Full Council on 4 February 2021.**

R107.

RECRUITMENT OF DEPUTY TOWN CLERK

Members were provided with a proposed job description and person specification for the Deputy Clerk Role.

RESOLVED:

That the Clerk make the amendments to the Job Description and Person Specification for the Deputy Clerk Post and provide a copy to Full Council on 4 February 2021 for approval.

R108.

POTENTIAL CHANGES TO COMMITTEE MEETING STRUCTURE

The Clerk advised that this report had been produced as a result of conversations with a number of councillors in respect of the number of committees being held, which included Standing Committees and Working Parties.

Generally, Members felt the proposed committee structure was a good starting point for discussions on the committee structure, but that more discussion with other Councillors was required.

All Members agreed that the idea to create a stand-alone Planning Committee was a sensible suggestion.

Councillor Harvey suggested that a change to the committee structure would be a good way forward, however whilst there are limited Members available the Council may not be at the stage where they are ready to take the step to changing the committee structure. She suggested that it may be something that Council should be talking about whilst going through the process of co-option and involving those new councillors in discussions going forward.

Councillor Bannister felt that currently the Council are short of resources in both Councillors and staff. He mentioned that the Council now have a Corporate Plan, which as yet was not populated and complete to see how the work programme of the projects within the plan are going to be ordered. He considered that it is important to achieve this before any decisions can be taken on the committee structure being designed to work with the programme created by the Corporate Plan. He agreed with Councillor Harvey in that more time was needed before making any firm decisions on a future committee structure.

Councillor Harvey suggested looking at the structures of Council's winning awards. She also suggested that all Councillors should be given the opportunity to bring forward suggestions on possible future committee structure.

The Clerk advised that Members may wish to invite Peter McFadyen to talk to Members. Councillor Harvey suggested that the discussion

should be opened up for discussion by all Members, however it is important to note that the committee structure should be designed to match the council resources and the implementation of the Corporate Plan.

RESOLVED:

That this item be placed on the agenda of the next meeting of next Full Council on 4 February 2021 for the purpose of bringing it to the attention of all councillors, with a proposal that all Councillors be asked to give consideration to a future committee structure and that a meeting of Councillors be held to discuss this further.

The meeting ended at 8.15 pm.

Signed Date
(Chairman)

ACTION SHEET
EO RESOURCES COMMITTEE
07.01.2021

Minute No.	Action	To be Actioned by	Date Actioned	Comments	Status
R106(1&2)	That the Clerk amend the job descriptions and person specifications for the two newly proposed roles and email them to committee members for further consideration and comment	TC		To be included on FC agenda 04.01.2021	Completed
R107	That the Clerk make the amendments to the JD & PS for the DTC Post and provide a copy to Full Council on 04.01.2021 for approval	TC		To be included on FC agenda 04.01.2021	Completed
R108	That the Committee meeting structure be placed on the agenda of FC on 04.01.2021 with a view to it being a starting point for further discussion	TC		To be included on FC agenda 04.01.2021	Completed

The following report is based on actual visitor numbers for 2018 (This was the last full year of numbers available before opening days and hours were reduced in 2019) However, we keep visitor numbers only to record the number of adults and children who visit the Painted Room. We do not keep a record of the ages of the visitors. This report is therefore an estimate based on our observations of the visitors. We have used the number of children who visit, minus those who come as part of a school group, to guess at the percentage of younger adults who come with children. We did this on a basis of two children with two adults although we might sometimes see more or less children per adult, we felt that one child per adult was a fair average.

Total number of visitors	4518
Total number of adult visitors	4269 (100 of these are repeat visitors)
Total number of children on school activity days	59
Total number of other child visitors	190 (10 of these are repeat visitors)
Percentage of visitors who are children	4%
Percentage of visitors who are young parents with children	4%
General visitors age 18 – 40	10%
Visitors age 40 – 50	18%
Visitors age 50 – 70	45%
Active over 70s	15%
Very frail over 70s	4%

From this analysis you can see that we would consider that the vast majority of our visitors are in the 50 to 70+ age groups, accounting for 64% of visitors. Whilst many are quite fit, in this age group we naturally see a greater proportion of visitors with physical difficulties, which can include knee problems and arthritis. Many of our visitors use walking aids such as sticks. A very limited number use walkers and wheelchairs and on these occasions we will often offer an alternative entrance door – assuming that the guide is available downstairs when the physically disabled visitors arrive. (This happens only once or twice a month)

We estimate that we are asked 2 or 3 times a week if there are stairs to get up to the Painted Room, which is perhaps an indication of the numbers who are doubtful about climbing stairs, and who would clearly also struggle with the outside steps. Based on opening 8 months of the year this would amount to between 70 and 100 persons per season who have sufficient difficulty with steps and stairs to consider not visiting the Painted Room because of the access problem. If we are downstairs in our reception area when visitors arrive who are clearly in difficulty with the outside steps, we quickly make sure they know that the Painted Room is upstairs as they can then decide whether to attempt the outside steps.

Whilst many of the more frail and elderly visitors will often have a younger helper with them, some of our visitors are couples in the 70+ category who are often as frail as each other. It can be very worrying watching them struggle with the stairs and the steps to Church Street in particular.

LEDBURY TOWN COUNCIL

AGILE WORKING POLICY

Introduction

This policy sets out the key elements of managing and supporting agile working within Ledbury Town Council.

Agile working is defined as working flexibly from different locations, whether it be a Ledbury Town Council office, a community building or occasional homeworking. This way of working can contribute extensively to more cost effective and efficient service provision. However, agile working is not a flexi-time system.

The aim of this policy is to ensure fair and consistent processes are followed and employees know what is expected of them when working in such a manner.

Designated Base

All employees will have a designated base as specified in their contracts of employment and which would be used for travel claim purposes.

Agile Working

In addition, Ledbury Town Council recognises that there may be occasions when employees need to work in an agile manner to effectively achieve the objectives of their role. This would need to be agreed by the employee's line manager.

For example, an employee that is normally based in the office, but attends an external meeting could continue to work from a community-based location (via laptop) at the end of a meeting or could return home to complete their working day rather than returning to the office. There are a number of instances when this might be appropriate, for example:

- To reduce working time spent travelling back to designated base following a meeting, event, or training course.
- To undertake a specific piece of work in an environment free from distraction (drafting a report / typing up lengthy minutes)
- To support agreed time allocated for training (such as writing an assignment / exam revision as per Training policy)

Each instance of agile working **must** be agreed in advance by the line manager who may consult the Town Clerk if appropriate.

There will be occasions where the option to work in an agile manner may not be available because of a specific job role or because the needs of the business dictate otherwise.

Performance Management

Prior to the commencement of working in an agile manner, line managers need to agree measurable outcomes with employees. An employee will need to know what is expected of them and how they will be assessed.

Managers will need to give particular attention to:

- Planning and scheduling of work and putting business needs at the heart of decision making.
- Ensuring the rest of the team and colleagues know how to contact individuals.
- Setting clear objectives.
- Conducting regular supervision sessions.
- Periodically review the agile working arrangements for employees within their area of responsibility.

Employee Responsibilities

- To comply with all conditions contained within this document, for example regarding confidentiality, data protection, health and safety, working hours etc.
- To have joint responsibility with their line manager in agreeing their level of agility and how they carry out their role in a more agile way.
- To report to Ledbury Town Council any loss, theft or damage to any equipment or confidential information whilst working on an agile basis.

Homeworking

It may also be deemed appropriate for employees to work from home occasionally. **Every occasion of home working needs to be authorised by the relevant line manager and outcomes agreed.**

Employees must note that the ability to work from home is not a substitute for childcare or similar care responsibilities.

There will be occasions where the option to work from home may not be available because of a specific job role or because the needs of the business dictate otherwise.

Health and Safety

All employees who use computer equipment will be required to undertake a Display Screen Equipment assessment. If an employee is Home Working on a regular basis, a DSE self- assessment must be completed (see HSE template).

It must be noted that if an employee does not have the facilities or is not able to work safely from a specific remote location, the employee will not be allowed to do.

Line managers and employees need to agree on a number of Health and Safety practicalities and assess the potential risks, including but not exclusive to:

- ☐ Lone Working
- ☐ Personal Safety
- ☐ Moving and Handling

Data Protection, Security and Confidentiality of Materials

Confidentiality Issues

Not all information used contains personally identifiable details, but some information will still be confidential to Ledbury Town Council. Employees must ensure they hold only the minimum level of confidential information remotely.

The risks associated with a particular employee working occasionally from home will depend on the nature of the work, the type of records used, and the access required and the employee's home circumstances.

The employee will have to take responsibility for the confidentiality of any records held remotely (either in paper or electronic form) and for their transportation to and from base. Any spare documents, for instance amended documents, must be disposed of according to Ledbury Town Council policies. The employee must satisfy their line manager that the precautions taken are adequate to protect Ledbury Town Council's responsibilities with regard to the Data Protection Act.

Line managers will need to satisfy themselves that the risk associated with agile working have been adequately dealt with.

Security issues

Personal confidential information held on electronic devices such as computers, mobile phones, encrypted memory sticks (SafeSticks) must be held securely.

If any Ledbury Town Council equipment is kept in a vehicle, it must be locked away out of sight.

Employees should be aware that they could be personally liable for breaches under the Data protection Act if appropriate security measures are not taken to safeguard personal data and as such, they are required to comply with Ledbury Town Council's IT and Social Media policies.

Line managers must ensure their employees:

- Know their responsibilities under the Data Protection Act and IT Policy
- Never leave a computer with personal confidential information on screen.
- Never leave your computer 'logged on' when unattended.
- Ensure that rooms containing computers and other equipment, are secure when unattended, with windows closed and locked and blinds or curtains closed.

- For employees who may work from home occasionally, home security must be at the same level as at work.
- Do not hold person identifiable information on electronic devices.

Conclusion

This policy will be reviewed on a regular basis by the Personnel Committee in consultation with the Town Clerk and line managers.

Date Adopted:
Review Date:

LEDBURY TOWN COUNCIL

ANNUAL LEAVE POLICY

Ledbury Town Council recognises the legal requirement for all employees to take annual leave. It also recognises the importance of leave for employees as it forms a vital part of ensuring that a high degree of commitment, dedication and loyalty is shown enabling the Council to meet its objectives.

Current legislation entitles all full-time employees to 28 days annual leave, which may or may not include all statutory public holidays. In addition, the Council grant additional non-statutory days leave following some of the statutory Bank Holidays. Leave for Part-time staff will be allocated on a pro-rata basis.

It is also the policy of Ledbury Town Council to recognise long service and career progression and therefore after 5 years continuous service full time employees will be granted an additional 5 days annual leave. This will be awarded pro rata during the leave year in which an employee achieves their 5 years continuous service.

Additionally, when an employee reaches a role which carries Spinal Column Points of 23 or higher, they will receive an additional 2 days annual leave.

This policy has been prepared in line with the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service.

Date reviewed and adopted by the Council
Date for Next Review

XXXX
XXXX

ANNUAL LEAVE PROCEDURE

The annual leave year is 1 April to 31 March. All staff are expected to take their full leave entitlement during the holiday year. In exceptional circumstances employees may carry forward a maximum of 5 days leave into the next holiday year provided that the statutory minimum of 28 days has already been taken. Any holiday entitlement carried forward must be taken by 30 April that year.

Part time employees, or those joining the Council during a leave year, will be entitled to annual leave on a pro-rata basis.

Annual Leave Entitlement

New Starter (below SO1) – 21 days to be increased to 26 after 5 years' service.

New Starter (SO1 & above) – 23 days to be increased to 28 after 5 years' service.

Unless otherwise stated in contracts, in addition to the above entitlement all staff who are normally contracted to work on a day which falls on a statutory public holiday and non-statutory holiday agreed by Council will receive the additional holidays set out below; part-time employees being pro-rata'd:

New Year's Day

Good Friday

Easter Monday

May Day

Spring Bank Holiday (Whitsun at the end of May)

Summer Bank Holiday (at the end of August)

Christmas Day

Boxing Day

In addition to the above employees shall have an entitlement to two extra statutory days holiday. Employees will be asked to use these at the time between Christmas and New Year.

Sickness immediately prior to or during annual leave

If an employee is ill during a period of pre-arranged annual leave it is permissible to treat the days of incapacity as sickness absence instead of annual leave, subject to the provision of a medical certificate which covers the full period of sickness. Please note this will not be the case for non-certificated absence. This will enable the Council to arrange alternative leave dates, subject to the demands of the business.

If an employee falls ill whilst on annual leave travelling abroad, they must produce acceptable documentation signed by an accredited medical practitioner, together with the employee's name and contact details. This should also state whether the employee is fit to travel. If declared unfit to travel, the certificate must give an indication

of the date the employee is likely to travel, if this is after the last authorised day of leave. When employees return to the UK, they are required to submit a Fit Note by their UK Doctor in order to return to work.

Employees will continue to accrue annual leave (excluding bank holidays) at their normal rate whilst on sick leave in accordance with legislation.

Where, as a direct result of long-term sickness absence, employees have been prevented from taking their holiday entitlement, it may be possible for an employee to carry forward/be paid (dependent on the amount of annual leave) the statutory element of their remaining annual leave entitlement into the next annual leave year; management reserves the right to specify when that leave must be taken.

Leaving employment during the year

- If you leave your employment with the Council, you can take the statutory entitlement you have accrued up to the time you leave during your notice period provided you have given the notice period required under the terms of your Contract of Employment.
- If you do not take the statutory holiday entitlement you have accrued, you have the right to be paid for the accrual.
- If you have taken more leave than your accrual entitlement you will be expected to reimburse the Council by deduction from your final salary payment.

LEDBURY TOWN COUNCIL

ANTI-HARASSMENT AND BULLYING POLICY

Introduction

Our aim is to provide a working environment that respects the rights of each employee and where colleagues treat each other with respect. Any behaviour that undermines this aim is unacceptable.

Ledbury Town Council does not tolerate any form of harassment or bullying under any circumstances. While implementing and upholding the policy is the duty of all our managers and supervisors, all employees have a responsibility to ensure that harassment does not occur in Ledbury Town Council.

Principles and procedures

The following procedure has been designed to inform employees about the type of behaviour that is unacceptable and provides employees who are the victims of harassment and bullying with a means of redress. Ledbury Town Council will not tolerate harassment or bullying of:

- job applicants
- employees
- contractors
- agency workers
- the self-employed
- ex-employees.

This policy also applies to work related functions which are held outside of normal working hours, either on or off Ledbury Town Council premises, such as Christmas parties, leaving celebrations, working lunches, etc.

Harassment

Harassment is unwanted conduct related to a relevant protected characteristic (an area covered by discrimination legislation) which has the purpose or effect of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive working environment for them.

Harassment will also occur where a colleague is treated less favourably because he or she has rejected or refused to submit to sex-based harassment, sexual harassment, or gender reassignment harassment.

Where it cannot be established that there was an intention to offend, conduct will only be regarded as violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment if, taking all the circumstances into account it would be reasonable to come to that conclusion.

People can be subjected to harassment on a wide variety of grounds. Some examples are:

- sex-based (purely because of gender) or sexual (sexual in nature)
- sexual orientation
- trans-sexualism (gender reassignment)
- being married or a civil partner
- race, nationality, ethnic origin, national origin, or skin colour
- disability itself or a reason relating to it.
- age
- employment status, e.g., part-time, fixed term.
- membership or non-membership of a trade union
- carrying out health and safety duties
- religion or religious beliefs or lack of either
- deeply held personal beliefs or lack of them
- political beliefs
- criminal record
- health, e.g., aids/HIV sufferers
- physical characteristics
- social class
- willingness to challenge harassment – being ridiculed or victimised for raising a complaint

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it reoccurs, once it has been made clear by the victim that they consider it offensive. One incident may constitute harassment, however, if it is sufficiently serious. Harassment on any grounds, including the above, will not be tolerated.

Harassment at work is unlawful under the Equality Act 2010.

Ledbury Town Council together with any managers or supervisors who fail to take steps to prevent harassment or investigate complaints may be held liable for their unlawful actions and be required to pay damages to the victim, as will the employee who has committed the act of harassment. There is no limit to the compensation that can be awarded in employment tribunals for acts of harassment.

Ledbury Town Council will also be liable for harassment that comes from a third party (e.g., a customer or supplier) if that harassment occurs on at least two occasions, the organisation is aware that it has happened and does nothing to stop it happening.

Harassment on any grounds is also a criminal offence, primarily under the Protection from Harassment Act 1997. This means that colleagues who suffer harassment may contact the police, in the case of harassment from fellow employees or harassment by third parties. Those found guilty face fines or periods of imprisonment of up to two years.

Additionally, an employee harassed by a colleague may sue that colleague personally for the damage and distress caused. Ledbury Town Council may be held vicariously liable under the Protection from Harassment Act for any harassment perpetrated by an employee whenever the behaviour in question is closely connected to the employment relationship.

Examples of harassment

Employees must recognise that what is acceptable to one employee may not be acceptable to another.

Examples of harassment include:

- Verbal – crude language, open hostility, offensive jokes, suggestive remarks, innuendoes, rude or vulgar comments, malicious gossip, and offensive songs.
- Non-verbal – wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper-based and generated on a computer, including offensive screensavers), graffiti, offensive letters, offensive emails, text messages on mobile phones and offensive objects.
- Physical – unnecessary touching, patting, pinching, or brushing against another employee's body, intimidating behaviour, assault, and physical coercion.
- Coercion – pressure for sexual favours (e.g., to get a job or be promoted) and pressure to participate in political, religious or trade union groups, etc.
- Isolation or non-cooperation and exclusion from social activities.
- Intrusion – following, pestering, spying, etc.

Bullying

Bullying is a gradual wearing down process comprising a sustained form of psychological abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of intimidating, belittling, and humiliating the recipient, leading to loss of self-esteem for the victim and ultimately self-questioning his or her worth in the workplace and society as a whole.

Examples of bullying

Workplace bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone at work. These can be split into two categories:

The obvious:

- shouting or swearing at people in public and private
- persistent criticism
- ignoring or deliberately excluding people
- persecution through threats and instilling fear

- spreading malicious rumours
- constantly undervaluing effort
- dispensing disciplinary action that is totally unjustified
- spontaneous rages, often over trivial matters
- The less obvious:
 - withholding information or supplying incorrect information
 - deliberately sabotaging or impeding work performance
 - constantly changing targets
 - setting individuals up to fail by imposing impossible deadlines.
 - levelling unfair criticism about performance the night before an employee goes on holiday.
 - removing areas of responsibility and imposing menial tasks
 - blocking applications for holiday, promotion, or training.

The actions listed must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

The impact of harassment and bullying

Harassment and bullying can lead to illness, absenteeism, an apparent lack of commitment, poor performance and resignation.

The damage, tension, and conflict that harassment and bullying create should not be underestimated. The result is not just poor morale, but higher labour turnover, reduced productivity, divided teams, poor service, and poor product quality.

Public image can be badly damaged when incidents of harassment and bullying occur, particularly when they attract media attention. This can result in a loss of customers.

Enforcement

Any harassment or bullying will be classed as gross misconduct, for which employees may be summarily dismissed.

All employees will be informed of Ledbury Town Council policy towards harassment and bullying at induction training and through communication and awareness programmes. It will be stressed that all complaints of harassment will be treated seriously.

Ledbury Town Council expects all managers and supervisors to ensure that this policy and procedure is adhered to at all times and expects all employees to respect the dignity of their colleagues. The policy will be regularly monitored by the Personnel Committee to ensure that it is achieving its aims and that managers and employees are confident about its application.

Training, communication, and awareness

Ledbury Town Council recognises that a written policy is not sufficient to eliminate harassment and bullying. Prominent and regular communication, training and awareness sessions are important to ensure that all employees:

- Understand our commitment to prevent harassment and bullying.
 - Understand their responsibilities and role in the process.
 - Know how to seek advice and guidance.
 - Know how to make complaints and are confident they will be handled effectively.
-
- Ledbury Town Council is committed to communicating the policy effectively through:
 - training and awareness programmes for all staff at all levels
 - briefings for employee and trade union representatives
 - posters / notices on staff notice boards.
 - a section in the staff handbook
 - line manager support to guide employees through the policy and procedures.
 - inclusion in Team meetings
 - induction.

Date adopted by the Council – XXXX

Date for Review – XXXX

ANTI-HARASSMENT AND BULLYING PROCEDURES

Advice

Ledbury Town Council recognises the sensitive nature of harassment and bullying. Employees who believe they are being harassed or bullied may wish to discuss their situation before deciding what action to take. Ledbury Town Council operates an open-door policy to discuss workplace problems and employees can discuss the matter with their manager on an informal basis.

Ledbury Town Council recognises that this may not always be appropriate in the circumstances, however. If this is the case, employees can discuss the situation with the next higher level of management or with the Town Clerk.

Advisers / line managers will:

- ensure the conversation remains confidential as far as possible.
- listen sympathetically.
- help individuals consider objectively what has happened.
- discuss what outcome the individual would wish to see
- draw attention to available procedures and options.
- inform the individual of the legal liabilities involved.
- help weigh up the alternatives, but without pressure to adopt any particular course.
- Assist the individual in dealing with the situation if they ask for help.

Confidentiality will be maintained as far as possible. If an employee decides not to take any action to deal with the problem and the circumstances described are very serious, however, Ledbury Town Council reserves the right to investigate the situation. It has an overall duty of care to ensure the safety of all employees who may be adversely affected by the alleged harasser's/ bully's behaviour.

Solutions

It is for the individual to decide which route to take in solving any problem that has occurred. There are two types of solution available – informal and formal.

Informal

Employees can choose to solve the matter themselves by approaching the harasser or bully, telling him or her that their behaviour is unwelcome and that it must stop. Otherwise, a formal complaint will be made using the procedure outlined below.

If victims would find it difficult or embarrassing to raise the issue directly with the person creating the problem, support can be sought from a work colleague or a union representative who can support the victim when speaking to the harasser or bully.

A third option, is that the victim can put his or her views in writing to the harasser or bully, telling him or her that their behaviour is unacceptable and that it must stop.

Formal

Where informal solutions fail, or serious harassment or bullying occurs, employees can bring a formal complaint in the form of a grievance, with the procedure adapted to take account of the sensitivities of such situations. Each step and action under the formal complaint's procedure will be taken without unreasonable delay.

Complaints will be investigated swiftly and confidentially while ensuring that the rights of both the alleged victim and the alleged harasser or bully are protected. Employees and witnesses can be assured that they will not be ridiculed or victimised for making, or assisting a colleague in making, a complaint, even if it is not upheld, as long as it is made in good faith. Everyone involved in the investigation, including witnesses, will be required to maintain confidentiality – a failure to do so will be a disciplinary matter. The procedure is as follows:

Step 1: Lodging a statement of grievance and conducting an investigation:

- The complaint should be put in writing, outlining the alleged incidents, when they occurred, the harm caused, the names of any witnesses and the name of the alleged harasser or bully.
- If the victim would find it distressing to set out their complaint in writing, then he or she should contact the Town Clerk who will provide assistance
- The written complaint should initially be lodged with the employee's manager. If this would not be appropriate in the circumstances, it should be lodged with the relevant member of the Personnel Committee.
- An independent investigator will be appointed who has had no previous involvement with the situation and who will conduct investigatory interviews with the complainant, the individual against whom the complaint has been lodged and any relevant witnesses. the right to accompaniment will be provided to all those interviewed.
- The investigator will submit a full report to the Town Clerk, or if not appropriate, the Chair of the Personnel Committee

Step 2: Grievance meeting:

- The employee will be invited to a meeting with the Town Clerk, or if not appropriate, the Chair of the Personnel Committee to discuss the grievance and the result of the independent investigator's report.
- The employee will be provided with the right to accompaniment.
- The timing and location of the meeting must be reasonable.
- The meeting will not take place until the Town Clerk, or if not appropriate, the Chair of the Personnel Committee has had a reasonable opportunity to consider the information contained in the employee's grievance letter and the independent investigator's report.
- The employee must take all reasonable steps to attend the meeting.
- The meeting must be conducted in a manner that enables the employee to

explain his or her case and the Town Clerk, or if not appropriate, the Chair of the Personnel Committee to set out the results of the investigation.

- After the meeting, the employee will be informed of the decision as to the grievance and notify the employee of the right to appeal against that decision if the employee is not satisfied with it.

Step 3: Hearing the appeal:

- If the employee wishes to appeal, s/he must inform the Leader of the Council.
- The employee will be invited to attend a further meeting.
- The employee will be provided with the right to accompaniment.
- The timing and location of the meeting will be reasonable.
- The employee must take all reasonable steps to attend the meeting.
- The meeting will be conducted in a manner that enables both sides to explain their cases.
- After the appeal meeting the Leader of the Council will inform the employee of the final decision, within five working days.

Full records will be kept of the grievance proceedings and copies of meeting records given to the complainant.

If, at the end of Step 1, the complaint is upheld the matter will be passed to the appropriate line manager to conduct a disciplinary hearing with the person who perpetrated the harassment or bullying.

Continuing to Work Together

Whether a complaint is upheld or not, Ledbury Town Council recognises that it may be difficult for the employees concerned to continue to work in close proximity to one another during the investigation or following the outcome of the proceedings. If this is the case Ledbury Town Council will consider a voluntary request from either party to transfer to another job or work location. A transfer cannot always be guaranteed, however.

Monitoring

Where harassment or bullying has been found to have occurred and the perpetrator remains in employment, regular checks will be made to ensure that harassment has stopped and that there has been no victimisation or retaliation against the victim.

Ledbury Town Council will also ensure that the employee who committed the act of harassment or bullying is not victimised in any way.

Malicious complaints

Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be subject to Ledbury Town Council's disciplinary procedure, as will any witnesses who have deliberately misled Ledbury Town Council during its investigations.

Complaints to an employment tribunal

While Ledbury Town Council trusts that employees will use the internal procedure to resolve any concerns they have about harassment, claims can be lodged with an employment tribunal where harassment is on the grounds of:

- sex
- gender reassignment
- race
- disability
- sexual orientation
- religion
- belief
- age
- marriage and civil partnership.
- pregnancy and maternity

LEDBURY TOWN COUNCIL

REDUNDANCY POLICY

Introduction

From time-to-time Ledbury Town Council may require fewer employees to work because of economic, technological or business-related reasons. Regrettably, this could result in some employee redundancies as the organisational design changes in line with business needs and to aid future growth and sustainability.

The constantly changing business environment means that redundancy is occasionally inevitable, but the organisation will do its utmost to find other solutions first and wherever possible, employees will be redeployed. There will be support made available where redeployment is not possible.

The purpose of this policy is to lay out how Ledbury Town Council will manage impending employee redundancies and, if necessary, any decision to implement proposed redundancies. It is Ledbury Town Council's intention to avoid redundancies wherever possible, and if they should be unavoidable to mitigate their effect.

Furthermore, this policy reflects Ledbury Town Council's commitment to full employee consultation and to provide appropriate support to staff should redundancies take place.

This applies to all categories of staff and this policy is in line with all relevant employment legislation and requirements including:

- Equality Act 2010.
- Employment Rights Act 1996.
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002; and
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

This policy also applies to any situation where fewer employees are required due to a reorganisation of work.

This policy is non-contractual (see Employee Handbook, section *[insert section]*).

Alternatives to redundancy

Before making any compulsory redundancies, Ledbury Town Council will first take all reasonable steps to identify feasible alternatives to meet the needs of the business. These will include:

- restriction of external recruitment
- reduction in overtime
- introduction of possible short-time working or temporary lay-offs.
- introduction of flexible working hours/days
- "ring-fenced" internal recruitment and redeployment to alternative work
- consideration of terminating or restricting the engagement of temporary/agency staff.
- voluntary reduction in remuneration; and
- voluntary redundancy and "bumping" (see Voluntary redundancy below).

Voluntary redundancy

In the event of proposed redundancies Ledbury Town Council will invite all affected staff to apply for voluntary redundancy. Employees who are not directly affected by the redundancy proposal may also apply. The application period will be limited to a specific period of time. Ledbury Town Council may at its absolute discretion accept or reject any voluntary application for redundancy (i.e., the organisation believes the volunteer has skills and experience that need to be retained for the organisation's future viability) and is under no obligation to discuss its reason(s) with the applicant.

When an application for voluntary redundancy is accepted, the employee will be notified in writing and invited to a meeting with a relevant manager to discuss the next steps and the redundancy payment that is available. Whether any enhanced redundancy payment or other severance entitlements are available will depend on the circumstances of each case.

Redundancy Panel

A Redundancy Panel will oversee the process and this panel will be convened on a need's basis, with its membership drawn from the Personnel Committee. These members will be different to members that will make up any Appeals Committee to ensure fairness and transparency throughout the whole process.

Consultation and information

Ledbury Town Council will carry out meaningful consultation with relevant unions inclusive of Unite, Unison, GMB, ALCC in respect of proposed redundancies. This will take place in accordance with the following timescales:

Collective consultation

- a minimum of 30 days' consultation where between 20 and 99 proposed redundancies are to take place at one establishment over a 90-day period, or
- a minimum of 45 days' consultation where 100 or more proposed redundancies are to take place at one establishment.

Individual employees will also be consulted separately, as appropriate.

Ledbury Town Council is committed to providing full and proper information to trade union/employee representatives during the consultation process. Furthermore, adequate time will be provided for them to consult the employees whom they are representing and

to respond to proposals and other information presented to them during the consultation process.

Wherever practicable Ledbury Town Council will endeavour to incorporate the views of trade union/employee representatives into its management of the proposed redundancies.

Information provided will include the:

- reason(s) for the proposed redundancies
- numbers and categories of employees affected, specifying those whom it is proposed to make redundant.
- proposed method of selecting those for redundancy.
- proposed method of carrying out the redundancies.
- time period over which the redundancy dismissals will take place; and
- proposed method of calculating redundancy payments (where non-statutory payments are to be made)
- the number of agency workers working under the supervision and direction of the employer.
- which parts of the organisation the agency workers are engaged in
- the type of work which the agency workers do.

Individual consultation

The organisation will enter into individual consultation with all employees provisionally selected for redundancy who are "at risk". Each employee will be given information about the proposed method of redundancy selection, including any selection criteria to be used. They will be informed subsequently of the basis for their selection and be invited to make representations to their relevant manager about their redundancy selection before any final decision about who is to be given notice of dismissal is taken.

Every employee who will be dismissed for purposes of redundancy will be invited to an individual meeting with their relevant manager. At this meeting they will be told that they are to be dismissed. They will be informed of the appropriate time scales and redundancy payment that is available. Any other severance payments will be explained to them.

Redundancy selection

The selection criteria to be used in the case of redundancy will change from time to time to reflect the needs of Ledbury Town Council. The criteria to be used will be fair and robust in application.

It will also be subject to consultation with trade union/employee representatives. If compulsory redundancies are required, employees will be involved and consulted on the selection criteria and be given opportunities to put forward their own views. Employees will be given the opportunity to discuss the selection criteria drawn up.

Alternative work

Ledbury Town Council will make every reasonable effort to identify and offer suitable alternative work to those employees whom it proposes to make redundant. In the first instance, these employees will be notified of all existing vacancies when they are notified of their selection for redundancy. They will be given the opportunity to discuss these vacancies with the relevant manager(s). Further meetings may be necessary for the employee and relevant manager(s) to explore the individual's suitability. Any offer of suitable alternative work which is accepted by the employee will be subject to a statutory trial period of four weeks.

If the new position is subsequently deemed unsuitable by Ledbury Town Council, the employee's employment will be terminated at the end of the trial period. S/he will receive a statutory redundancy payment based on the date on which their original job became redundant. In these circumstances, should another suitable alternative job be available, the employee will be offered that job and be subject to a further trial period of four weeks.

Should the organisation consider a vacancy to be suitable as an offer of alternative work, but the employee unreasonably refuses that offer, or, having taken up the offer resigns that position before the end of the trial four-week period, the employee will forfeit their right to a statutory redundancy payment.

Any period of four weeks may be extended by Ledbury Town Council because of the need for re-training without affecting the employee's right to a statutory redundancy payment.

Ledbury Town Council reserves the absolute right to make a decision about the employee's termination of employment.

Special consideration will be given to providing suitable alternative work for those on maternity, paternity, adoption or shared parental leave. Those on maternity, paternity, adoption or shared parental leave will be given priority over other employees when offering suitable alternative employment.

The duty of Ledbury Town Council to seek suitable alternative work for redundant employees will continue up to and including the date of the employee's termination of employment.

Ledbury Town Council reserves the right to select the best candidate for any job where there is more than one suitable candidate and may apply appointment selection criteria. During any period of redundancies Ledbury Town Council will "ring-fence" any vacancies as being open only to internal candidates unless there are circumstances where it reasonably believes there are no suitable internal candidates.

Time-off to look for work/undergo training

Any employee under notice of redundancy dismissal who has at least two years' continuous service will be granted reasonable time off to look for alternative work with another employer. This will also include reasonable time off to attend interviews or to undergo training for alternative work. Appropriate time off will be arranged with the employee's line manager.

Support for redundant employees

The organisation will make every reasonable attempt to support any employee who is made redundant. Depending on resources available at the relevant time outsourced support may be arranged. Requests from employees for financial support with training/educational costs will also be considered.

Statutory redundancy payments

Those employees with two or more years' continuous service with Ledbury Town Council will be entitled to receive a statutory redundancy payment. This will be calculated according to their age, length of service and final gross weekly pay subject to the statutory maximum (based on the maximum rate of a week's pay at the time of the redundancy dismissal).

Notice and termination of employment

Ledbury Town Council may decide to waive its right for the redundant employee to work his or her contractual notice.

If this situation is brought about by Ledbury Town Council, a payment in-lieu of notice (PILON) will be made.

If this situation is brought about by the employee, Ledbury Town Council will consider whether it is prepared to agree to a shorter notice period. The employee may serve statutory counter notice. It is normal practice for Ledbury Town Council to accept such notice, unless there are exceptional circumstances.

Date adopted by the Council

Date for Review

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LEDBURY TOWN COUNCIL

SHARED PARENTAL LEAVE POLICY

Introduction

This policy sets out the statutory rights and responsibilities of employees who wish to take Shared Parental Leave (SPL)

Ledbury Town Council recognises that, from time to time, employees may have questions or concerns relating to their shared parental rights. It is Ledbury Town Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the provisions are complex, employees should clarify the relevant procedures with their line manager to ensure that they are followed.

Shared Parental Leave

Eligible employees may be entitled to take up to 50 weeks SPL within the first year of their child's life provided that the mother has either returned to work or given written notice to end her maternity leave on a specified date.

SPL is also available to adoptive parents within the first year after the child's placement for adoption, provided that the child's adopter who elected to take adoption leave (the "primary adopter") has either returned to work or given written notice to end their adoption leave on a specified date.

SPL can commence as soon as the child is born or placed for adoption for the mother's partner or an adopter (biological mothers are legally required to take at least 2 weeks of Statutory Maternity Leave immediately following the birth of the child) and it must end no later than 1 year after that date.

SPL will generally commence on the employee's chosen start date specified in their leave notice, or in any subsequent variation notice (see "Notification of shared parental leave" below).

During the period of SPL, the employee's contract of employment continues in force and they are entitled to receive all of their contractual benefits, except salary. In particular, any benefits in kind (such as life assurance, private medical insurance, permanent health insurance, private medical insurance, permanent health insurance, mobile phone etc.) will continue and contractual annual leave entitlement will continue to accrue.

If the employee is eligible to receive it, salary may be replaced by Shared Parental Pay (ShPP) for some, or all, of the SPL period.

Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid SPL. Employee contributions will be based on actual pay, while the organisation's contributions will be based on the

salary that the employee would have received had they not gone on SPL.

SPL is granted in addition to an employee's normal annual holiday entitlement. Employees are reminded that holiday must be taken in the year that it is earned and therefore, if the holiday year is due to end the employee should take their outstanding entitlement rather than using their SPL.

Eligibility for Shared Parental Leave

To be eligible for SPL an employee must satisfy each of the following criteria: -

- The mother must be entitled to maternity leave, statutory maternity pay or maternity allowance and must have ended or given notice to end her Maternity Leave on a date no later than the end of the 51st week.
- The employee must have at the date of the birth or placement for adoption, the main responsibility for caring for the child along with their partner.
- The employee must be the mother or father of the child or married to, the civil partner of, or the partner of, the child's mother. In the case of adoption, they must have been matched with the child for adoption or married to, the civil partner of, or the partner of, the primary adopter. In both cases, they must be taking the leave to care for the child.
- The employee must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is to be born or, in respect of an adopted child, as at the week in which they were notified of having been matched for adoption with the child.
- They must still be working for the organisation at the start of each period of shared parental leave.
- The employee's partner must meet the work and earnings test.
- The employee must have correctly notified entitlement and provided the necessary evidence.

Notifying employer of the entitlement to Share Parental Leave

Where an employee wishes to take SPL, they must give their line manager at least eight weeks' written notice before taking any SPL of their entitlement and intention to take SPL.

The notification must be in writing and specify: -

- The name of the other parent.
- The start and end dates of any maternity leave, or adoption leave taken in respect of the child, the total amount of SPL available.
- The date on which the child was expected to be born or the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption.
- The amount of SPL the employee and their partner each intend to take, and a non-binding indication of when the employee expects to take the leave. In both cases, the notice must also specify the employee's name.

The employee must also provide the organisation a signed declaration stating:-

- That they meet or will meet the criteria for and is entitled to shared parental leave.
- That the information they have given is accurate
- That should they cease to be eligible they will immediately inform their employer.

At the same time, the employee must provide the organisation a signed declaration from their partner stating: -

- Their name, address, and national insurance number (or a declaration that they do not have a national insurance number)
- That they are the father or mother of the child, or partner of the employee seeking to take SPL.
- Confirmation that they satisfy the employment and earnings test and had at the date of the child's birth or placement for adoption, the main responsibility for the child, along with the employee.
- That he or she consents to Ledbury Town Council processing the information contained in the declaration form
- In the case whether the partner is the mother, that she will immediately inform her partner should they cease to satisfy the eligibility conditions.

If requested by the organisation within 14 days of the notice of SPL entitlement being given, the employee must produce within 14 days the name and business address of the partner's employer and a copy of the child's birth certificate where one has been issued, or a declaration as to the time and place of the birth. In the case of an adopted child, the employee has 14 days in which to provide documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

Upon receiving a notification of entitlement to take SPL the line manager may seek to arrange an informal meeting with the employee to discuss their intentions and how they currently expect to use their SPL entitlement.

Booking Sharing Parental Leave

Shared Parental Leave can only be taken in complete weeks. The employee has the right to submit 3 notifications specifying leave periods they are seeking to take.

The employee must notify the organisation of periods of SPL at least eight weeks before the date on which they wish to start the leave and, if applicable, ShPP to commence.

An employee has the right to take the number of weeks specified in a single notice in a continuous block. Where a notice includes weeks of discontinuous leave, the employer must agree to this. An employee may withdraw a request for discontinuous leave without detriment on or before the fifteenth day after the leave request was made.

Meeting to discuss a Shared Parental Leave request

Once the line manager receives the notice to take leave (the booking notice), it will be dealt with as soon as possible, but not later than the fourteenth day after the leave request was made. The line manager will usually arrange a meeting to deal with the notice. Where a notice is for a single period of continuous leave, or where a request for discontinuous leave can without further discussion be approved in the terms stated in the employee's written request, a meeting will not be necessary.

(An employee should be given the right to be accompanied by a work colleague at any shared parental leave meeting) The meeting should take place in a private meeting room so that the discussion is kept away from other employees. The aim of the meeting is to discuss in detail the leave proposed and, where it is a request for discontinuous leave, whether or how it might be approved.

Responding to a Shared Parental Leave request

All notices for continuous leave will be confirmed in writing.

All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the employee and to the organisation against any adverse impact to the business.

Each request will be considered on a case-by-case basis; agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

The employee will be informed in writing of the decision as soon as is reasonably practicable, **but no later than the fourteenth day** after the leave request was made. The request may be granted in full or in part: for example, the organisation may propose a modified version of the request.

If a request is rejected, then the employee may withdraw the request without detriment on or before the **fifteenth day** after the leave request was made or may take the total amount of leave made in the request within the leave period previously proposed. If the line manager's decision is that the leave must be taken in a single continuous block, the employee has **5 days** from the end of the two-week period after submitting the notice to choose when they want the leave period to begin. If no response is given, then the leave will begin on the first date stated in the original request.

Variation of Shared Parental Leave

The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the employer in writing at least eight weeks before the date of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation request will count as a new notification thereby reducing their right to make three notifications by one unless it is as a result of the child being born earlier or later than expected or because it was in a response to a request from the employer.

Statutory Shared Parental Pay (ShPP)

ShPP may be payable during some or all of SPL, depending on the length and timing of the leave. An employee is entitled to ShPP if:

- The mother or adopter was entitled to statutory maternity or adoption pay or maternity allowance.
- The mother has reduced the maternity or adoption pay period of maternity allowance period.
- They are the mother or father of the child or married to, the civil partner of, or the partner of, the child's mother. In the case of adoption, they must have been matched with the child for adoption or married to, the civil partner of, or the partner of, the primary adopter. In either case they must intend to care for the child during the ShPP period.
- They must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born, or in respect of an adopted child, as at the end of the 15th week before the week in which they were notified of having been matched with the child.
- They remain in continuous employment until the week before each ShPP period begins
- Their average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions.
- Their partner meets the work and earnings test.
- Their partner has provided a written declaration confirming their agreement to the employee claiming ShPP with the number of weeks specified.
- They give proper notification in accordance with the rules set out above.

Any ShPP due will be paid at a rate set by the Government for the tax year.

ShPP is payable whether or not the employee intends to return to work after their SPL.

Contact during Shared Parental Leave

Before an employee's SPL begins, the organisation will discuss the arrangements for them to keep in touch during their leave, should they wish to do so. Ledbury Town Council reserves the right in any event to maintain reasonable contact with the

employee from time to time during their SPL. This may be to discuss the employee's plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or simply to update them on developments at work during their absence.

Shared Parental Leave in Touch Days

An employee can agree to work for the employer (or to attend training) for up to 20 days during the SPL without that work bringing the period of their SPL and ShPP to an end. These are known as "Shared Parental Leave in Touch" or "SPLIT" days. Any work carried out on a day shall constitute a day's work for these purposes.

The organisation has no right to require the employee to carry out any work, and the employee has no right to undertake any work, during their SPL. Any work undertaken, including the amount of salary paid for any work done on SPLIT days, is entirely a matter for agreement between the employer and the employee. Any "SPLIT" days worked do not extend the period of SPL.

An employee, with the agreement of the organisation, may use SPLIT days to work part-time during SPL. The organisation and the employee may want to use SPLIT days to affect a gradual return to work by the employee towards the end of a long period of SPL.

Returning to work after Shared Parental Leave

The employee will have been formally advised in writing by the employer of the end date of any period of SPL. The employee is expected to return on the next working day after this date unless they notify the organisation otherwise. If they are unable to attend work due to sickness or injury, the organisation's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If the employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give the organisation at least eight weeks' notice of their date of early return. This will count as one of the employee's 3 notifications. If they have already used 3 opportunities to book/or vary leave then the employer may consider the request but it is not required to accept it.

Rights during Shared Parental Leave and on Returning to Work

All terms and conditions of the employee's contract, except remuneration will continue during SPL.

On resuming work after SPL, if the employee's total statutory maternity or paternity or adoption leave and SPL amounts to 26 weeks or less they are entitled to return to the same job as they occupied before commencing maternity/paternity/adoption leave and SPL, on the same terms and conditions of employment as if they had not been absent. If their maternity/paternity/adoption leave and SPL amounts to 26 weeks or more in aggregate, they are entitled to return to either the same job they held before

commencing the last period of leave, or if this is not reasonably practicable, to another suitable job that is on terms and conditions no less favourable.

A period of 4 weeks or less of unpaid parental leave is disregarded for the purposes of returning to the same job. If a parent takes a period of 5 weeks of unpaid parental leave, even if the total aggregate weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks, the employee has the right to return to the same job they held before commencing the last period of leave or, if this is not reasonably practicable, to another suitable job that is on terms and conditions no less favourable.

Further Information

Law relating to this document Employment Rights Act 1996 Child and Families Act 2014
Shared Parental Leave Regulations 2014

Date Adopted by Council: XXXX
Review Date: XXXX

