

WEXHAM COURT PARISH COUNCIL



STAFF CODES OF PRACTICE

- ❖ Section 1 – Health & Safety Policy
- ❖ Section 2 – Responsibilities
- ❖ Section 3 – Managing Attendance
- ❖ Section 4 – Grievance & Disputes Procedure
- ❖ Section 5 – Code of Conduct Policy
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Adopted by Council June 2004
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(to become effective as of April 2010)

SECTION 1
HEALTH & SAFETY POLICY

Wexham Court Parish Council recognises its responsibilities under the Health and Safety at Work Act 1974 and associated regulations for safeguarding the health and safety of contractors, employees and members of the general public who visit its premises.

High priority will be given to ensuring that employees are provided with the appropriate health and safety facilities relevant to their work and receive adequate training and supervision.

All employees are responsible for acquainting themselves with the health and safety procedures relating to their employment.

The Parish Council accepts its responsibility to provide health and safety training and refresher training to employees where necessary.

It is the responsibility of the Parish Council [the Health & Safety Working Group being the designated responsible body] to ensure that risk assessments are carried out on an "as necessary" basis, hazards identified and recorded, and action taken to eliminate or safety control the risk.

All employees have responsibilities for their health and safety at work as well as for those who may be affected by their acts or omissions.

Employees must report to The Clerk to the Council all hazards arising in the work area for which he/she is responsible.

Employees must report to The Clerk to the Council all accidents or near misses which occur in the area of work for which they are responsible.

It is the responsibility of The Clerk to the Council to report all accidents and near misses to the Council at each Parish Council Meeting. These should be recorded in an appropriate method of record keeping.

Employee's responsibilities

Under the health and safety legislation, each employee at work has the following responsibilities:-

- ❖ To take reasonable care for the health and safety of themselves and of other people who may be affected by their acts or omissions at work.
- ❖ To co-operate with the employer [The Parish Council], or any other person apart from the employer who has a duty or responsibility under health and safety legislation, so that these duties and responsibilities can be carried out.
- ❖ To avoid either intentionally or recklessly interfering with or misusing anything provided in the interest of health and safety.

WEXHAM COURT PARISH COUNCIL

Health and Safety Policy Statement

Our statement of general policy is:

- ❖ To provide adequate control of the health and safety risks arising from our work activities
- ❖ To consult with our employees on matters affecting their health and safety
- ❖ To provide and maintain safe plant and equipment
- ❖ To ensure safe handling and use of substances
- ❖ To provide information, instruction and supervision for employees
- ❖ To ensure that all employees are competent to do their tasks, and to give them adequate training
- ❖ To prevent accidents and cases of work related ill health
- ❖ To maintain safe and healthy working conditions
- ❖ To review and revise this policy as necessary

SECTION 2
RESPONSIBILITIES

- ❖ Overall and final responsibility for health and safety is that of:

The Chairman of the Parish Council

- ❖ Day-to day responsibility for ensuring that this policy is put into practice is delegated to:

The Clerk to the Council

- ❖ To ensure health and safety standards are maintained/improved the following people have responsibility in the following areas:

Position	Area of Responsibility
<i>Caretaker</i>	<i>General Caretaking and Cleaning</i>
<i>Caretaker</i>	<i>Parish Hall Fixtures and Fittings</i>
<i>Caretaker</i>	<i>Portable Electrical Appliances</i>
<i>Caretaker</i>	<i>Maintenance of Hall, Grounds, Heating/Ventilation and Fixed Appliances</i>
<i>Clerk to the Council</i>	<i>Control of Contractors</i>

All employees have to:

- ❖ Co-operate with supervisors and managers on health and safety matters
- ❖ Not interfere with anything provided to safeguard their health and safety
- ❖ Take reasonable care of their own health and safety
- ❖ Report all health and safety concerns to an appropriate person as detailed in the policy

Health and Safety Risk Arising From our Work Activities

- ❖ Risk assessments shall be undertaken by:

The Health & Safety Working Group

- ❖ The findings of risk assessments shall be reported to:

The Chairman of the Parish Council

- ❖ Action to remove or control risks will be approved by:

The Parish Council

- ❖ The person responsible for ensuring that action is implemented is:

The Clerk to the Council

- ❖ Assessments will be reviewed when the work activities change or every twelve months, whichever is the soonest.

Safe Plant and Equipment

- ❖ Responsibility for identifying equipment/plant needing maintenance:

Caretaker

- ❖ Responsibility for ensuring effective maintenance procedures are drawn up:

The Clerk to the Council

- ❖ Responsibility for ensuring that all identified maintenance is implemented:

The Clerk to the Council

- ❖ Responsibility for checking that new equipment and plant meets health and safety standards:

The Clerk to the Council

Safe Handling and Use of Substances

- ❖ Responsibility for identifying all substances which need a COSHH assessment:

The Health & Safety Working Group

- ❖ COSHH assessments will be undertaken by:

The Health & Safety Working Group

- ❖ Responsibility for ensuring that all actions identified in the assessment are implemented:

The Clerk to the Council

- ❖ Responsibility for ensuring that all relevant employees are informed about COSHH assessments:

The Clerk to the Council [after training completed]

- ❖ Assessments will be reviewed when the work activity changes or every twelve months, whichever is the soonest.

Information, Instruction and Supervision

- ❖ The Health and Safety Law poster is displayed at:

The Parish Hall

- ❖ Health and safety advice is available from:

The Health & Safety Working Group

- ❖ Supervision of young workers will be undertaken by:

Not Applicable

Accidents, First Aid and Work-Related Ill Health

- ❖ The first aid boxes are kept in:

The Main Hall & Pavilion Hall kitchens at the Parish Hall

- ❖ All accidents and cases of work related ill health are to be recorded in the accident book. The book is kept in:

The upstairs storeroom at the Parish Hall

- ❖ Reporting of accidents, diseases and dangerous occurrences is the responsibility of:

The Clerk to the Council

Monitoring

- ❖ To check our working conditions, and ensure our safe working practices are being followed spot checks and site inspections will be carried out. The following people have responsibility in the inspection of the following areas:

Position	Area of Responsibility
<i>Caretaker</i>	<i>Halls prior to letting</i>
<i>Caretaker</i>	<i>Fire escape routes and extinguishers prior to letting</i>
<i>Clerk to the Council</i>	<i>Spot checks</i>
<i>Caretaker</i>	<i>Portable electrical appliances prior to use</i>
<i>The Health & Safety Working Group</i>	<i>Bi-Annual inspection of premises, plant and equipment including grounds</i>

- ❖ The person responsible for accident investigation is:

The Clerk to the Council

- ❖ The person responsible for investigating work related causes of absence is:

The Clerk to the Council

- ❖ The person responsible for acting on the findings of an investigation is:

The Chairman of the Parish Council

Emergency Procedures

- ❖ Responsibility for ensuring that a fire risk assessment is undertaken and implemented is:

The Health & Safety Working Group

- ❖ Escape routes are checked:

Prior to a letting or weekly by Caretaker

- ❖ Fire extinguishers will be checked:

Prior to a letting or weekly by Caretaker

- ❖ Alarm will be tested:

Weekly by Caretaker

- ❖ Emergency evacuation will be tested every:

Twelve Months

- ❖ The person responsible for ensuring that fire appliances, alarm and emergency lighting is maintained on an annual frequency is:

The Health & Safety Working Group

Training

- ❖ Induction training will be provided for all staff by:

The Clerk to the Council or Caretaker (as appropriate)

- ❖ Job specific training will be provided by:

The Clerk to the Council or Caretaker (as appropriate)

- ❖ Training records will be kept by:

The Clerk to the Council

- ❖ Training will be identified, arranged and monitored by:

The Clerk to the Council

SECTION 3

MANAGING ATTENDANCE

Absence places additional burdens on employees remaining at work, it causes increased costs due to overtime cover, it lowers morale and can seriously lower standards.

This document's main focus is to ensure effective communication between the Council and its staff regarding sickness absence and to ensure that procedures are established which are both fair and uniform.

It focuses on the following: notification of sickness absence, the process of recording and monitoring absence, the communication process between the Council and its staff in the event of short-time and long-term sickness, finally addressing attendance problems.

It applies equally to all staff.

It is the role of all employees to act responsibly with regard to any absence of any sort, to follow the notification and certification procedures. For this purpose, notification should be dealt with through and by the Clerk to the Council.

Sickness

It is the responsibility of the employee to contact the Clerk to the Council to inform him/her of their current sickness. This should be done as soon as is practicable before the start of their current working day. Where possible the Clerk should also be made aware of the employee's pending return. If this is not possible at the time, then the employee should contact the Clerk on the day preceding return to work.

It is a reasonable request for an employee to request time off to attend for a medical examination. If this falls within their working time it must be communicated to the Clerk prior to attending for that appointment.

In respect of absence lasting up to one week on account of sickness or injury employees are required to self-certificate their absence.

In respect of absence lasting more than one week employees are required to provide a medical certificate stating the reason for the absence, and thereafter provide a consecutive medical certificate to cover any subsequent period of absence.

Entitlement to payment is subject to notification and production of medical certificates as required above.

The Council reserves the right to require an employee at any time to submit to a medical examination by a medical practitioner nominated by the Council, subject to the provisions of the Access to Medical Reports Act 1988 where applicable.

Whilst on absence due to sickness or incapacity an employee is not permitted to undertake any paid work for another employer or for any business established by them.

Subject to the above conditions, when absent from duty owing to illness (which term is deemed to include injury or other incapacity) an employee (subject to having completed any probationary period) will be entitled to receive 4 weeks full pay per annum (pro rata for part-time employees), inclusive of the self-certified week. In the event of any absence for a longer period than this the Council has discretionary powers to consider each case on its merits. The number of individual absences permitted without further investigation will be limited to six per annum.

Annual leave

The leave year runs from the 1st April to 31st March, and leave in any given year cannot be carried over to subsequent years. On leaving, outstanding leave cannot be taken in lieu of notice unless approved by the Council. All members of staff are encouraged to take their annual leave each year.

All requests for annual leave should be communicated to the Clerk in order for monitoring and cover to be arranged where necessary. Whilst it is appreciated that in some emergency situations very short notice has to be given, it is in most cases appropriate to give four weeks notice of application to take annual leave. This applies to employees working on the Parish Council premises as well as those who work from home.

Any individual not reporting for work and failing to inform the Clerk will be deemed to have taken unauthorised leave. This in turn can lead to it being dealt with under the Parish Council's code of practice relating to disciplinary procedures.

SECTION 4
GRIEVANCE & DISPUTES PROCEDURE

This relates to both individual grievances and collective disputes and applies to all employees of Wexham Court Parish Council.

Many grievances/disputes will be resolved satisfactorily by informal discussion, but nevertheless it is recognised that staff should have adequate formal means of resolving any grievance/dispute. However, it is important that efforts are made to resolve grievances by discussion before entering formal machinery.

This procedure may be used for pay matters.

All parties to the grievance may remain present throughout the grievance hearing. Witnesses should only be present when they are being asked questions by either side.

It will be the responsibility of the Councillors to explore the issue giving rise to the grievance with a view to an agreed settlement. The decision of the Councillors will be confirmed in writing to the employee within seven working days.

Stage 1: The employee will make his grievance to the Clerk of Wexham Court Parish Council who will endeavour through informal discussion to try and resolve the issue. However should the grievance be against the Clerk of the Parish Council, then this grievance must be made directly to the Chairman of the Parish Council.

Stage 2: If the grievance has not been resolved at stage 1, the Clerk will refer this issue to the Chairman of the Parish Council, who likewise will interview the employee (together with another Councillor not related to the case) with a view to satisfactory resolution.

Stage 3: If both stage 1 and 2 fail to resolve the issue in question, then a panel of Councillors will be convened. This will consist of three Councillors, the Vice-Chairman becoming the Chairman. At this stage the grievance will be heard formally and if necessary witnesses will be called.

The Councillors hearing the grievance shall formally adjourn the meeting. They will then deliberate and recall both parties. They must announce a decision either at this stage or notify an intention to respond within defined limits. The decision of the grievance panel will normally be announced immediately.

A record of the proceedings shall be kept by the Clerk and a summary of the decision and the reasons for it shall be sent to both parties within seven working days of the hearing.

SECTION 5
CODE OF CONDUCT POLICY

This procedure has been designed to ensure that employees are aware of standards of performance and behaviour necessary for the safe and efficient working of the Parish Council.

The Parish Council recognises its obligations to inform its employees of the rules which apply to them during the course of their employment and the likely consequences of their failure to observe these rules.

The Parish Council shall ensure that all employees are aware of the duties, requirements and responsibilities associated with their posts. Every effort shall be made to ensure that the employees are properly trained and skilled for the posts they hold.

Disciplinary processes shall be applied consistently in relation to all employees and regardless of age, race, colour, nationality, ethnic origin, religion, creed, disability, sex, sexual orientation or marital status.

This procedure covers all staff.

Minor shortcomings will initially be dealt with informally. The Clerk to the Council should discuss shortcomings with a view to identifying the causes and offering help to the employee in rectifying them. Such discussions will not represent part of the disciplinary procedure and will not be formally recorded.

Formal disciplinary procedure

The decision to enter into a formal disciplinary hearing will be taken by the Clerk to Wexham Court Parish Council and may originate in the following ways. At this stage the Chairman will designate a Councillor to investigate the incident who has no previous involvement in the issues:-

- ❖ Where there has been discussion and the required improvement or change in performance has not been achieved.
- ❖ Where some event or shortcoming has occurred which is deemed to be of a sufficiently serious nature.

Process

The disciplinary process will consist of the following stages:

- ❖ Investigation
- ❖ Formal hearing [at which the employee is given the opportunity to respond]
- ❖ Decision

- ❖ Notification
- ❖ Appeals Procedure

The Clerk to the Parish Council must formally request in writing that the employee attend for a disciplinary hearing. This letter must include:-

- ❖ Clear and complete details of the issues for consideration
- ❖ Who will be attending
- ❖ Confirmation of the employee's right to be accompanied by a Trade Union representative, work colleague, or friend not acting in an official capacity.

Requests for attendance at a disciplinary hearing must be made at least five working days in advance of the scheduled date to enable the employee to prepare their case and arrange for proper representation.

The Clerk to the Council will make all papers [statements, etc.] relating to the disciplinary hearing available to the employee within reasonable time of the hearing.

Failure to attend a disciplinary hearing without valid reason may result in the process being carried out in the member of staff's absence.

The hearing will be attended by:-

- ❖ The Chairman of the Parish Council, or another nominated person
- ❖ One Councillor from the Parish Council not involved in the investigation
- ❖ The Clerk to the Parish Council who will present his/her findings
- ❖ The member of staff concerned
- ❖ A representative for the member of staff concerned

Types of Disciplinary Action

- ❖ Verbal Warning
- ❖ First Written Warning
- ❖ Final Written Warning
- ❖ Dismissal

These disciplinary actions are normally followed consecutively, but the disciplinary panel may elect to go straight to written warnings or dismissal depending on the gravity of the situation.

Written warnings

The decision to issue a formal warning shall be confirmed in writing in the form of a letter to the employee dispatched within five working days of the decision. This letter should clearly indicate:-

- ❖ The reason for the written warning
- ❖ The standard expected in future [if appropriate]
- ❖ Any training or assistance that might be given [if appropriate]
- ❖ What may happen if standards continue not to be met
- ❖ Any time limit for improvement to be achieved
- ❖ The time span of the warning

The appeals procedure

All employees shall have the right of appeal against all formal disciplinary action [i.e. written warnings or dismissal]. There is no right of appeal against an oral/verbal warning.

An employee who is aggrieved by formal disciplinary action should write to the Chairman of the Parish Council within 14 days of receiving the letter confirming the disciplinary action.

The appeal would be heard by a panel consisting of:-

- ❖ The Vice-Chairman of the Parish Council [to sit in place of the Chairman], or another nominated person
- ❖ Two other Parish Councillors not involved in the disciplinary procedure

Signed:

(Chairman)

.....

(Clerk)

Date:

References:

Workplace [health & safety] Regs 1992

Management of Health & Safety at Work Regs 1999

Health & Safety at Work Act 1974

Electricity at Work Regs 1989

Fire precautions Act 1971

APPENDIX 1 – STANDARD LETTERS

1. Invitation to formal hearing

Dear [name],

I am writing to request your attendance at a meeting on [date] at [time] in The Parish Hall. The meeting is being called under the Parish Council's Code of Conduct Policy and its purpose is to consider [allegation details/issue].

The meeting will be attended by myself and I will present the issue to The Chairman of the Parish Council, Cllr [name], and to Cllr [name]. Since disciplinary action may be taken against you, you are entitled to be accompanied by either a Trade Union Representative, work colleague, or friend not acting in an official capacity. May I also point out that representation rights do not extend to professional legal advisers.

I am enclosing a copy of the Parish Council's Code of Conduct for your information. Statements and any other documentation intended to be used during the meeting will be sent to you within reasonable time of the meeting.

Please confirm your attendance at this meeting to me in writing.

Yours sincerely,

Clerk to the Council

2. Suspension

Dear [name],

I am writing to confirm our conversation on [date] regarding your suspension from work.

As I explained you are suspended on full pay with effect from [date] pending investigation into the allegation that [give details]. May I emphasise that suspension is not disciplinary action, but is rather a mechanism to facilitate the investigation process without prejudice or embarrassment to employees.

You must not return to the work site unless you are given my express permission to do so and you must be available during normal working hours. If you have any queries, please do not hesitate to contact me.

Yours sincerely,

Clerk to the Council