



**All Souls Crompton**

Community Centre

[www.allsoulsbolton.org.uk](http://www.allsoulsbolton.org.uk)

# **STAFF HANDBOOK**

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## **Employee handbook**

Welcome to (All Souls Crompton Community Centre ASCCC).

This is your Employee Handbook and it sets out the basis of your working relationship with your employer, (All Souls Crompton Community Centre ASCCC).

You will have written particulars of your employment as a separate document and that sets out the contractual basis of your employment. It will refer to items in this handbook. However, this handbook is not your contract of employment and no item here is a part of that contract unless that is made clear in your written particulars or other agreement. Failure to follow policies and procedures could give rise to disciplinary action but minor variations will not in themselves break the contract.

While important contractual terms are in this reference source, the main purpose of the content is to inform you of how the relationship between us will work in practice, as the basis for mutual co-operation and understanding.

The contents of this handbook are not intended to compromise your statutory rights, or individual contracts of employment. Should conflict arise, your statutory rights will always take precedence, as will contractual rights.

Updates will be notified to you by memo.

### **Mission Statement**

All Souls Crompton Community Centre (ASCCC) will help to develop a successful, confident and self-conscious community that makes a full and valuable contribution to economic, spiritual and civic life in Bolton.

ASCCC strives to promote unity and harmony, tolerance and respect amongst the residents of the Crompton Ward area and develop the framework for addressing issues affecting local people through effective partnerships.

### **Probationary periods**

The first three months of employment are a probationary period during which you are expected to demonstrate satisfactory performance. The probationary period may be extended by a further three months.

Failure to achieve satisfactory performance within this total period of six months will render you liable to dismissal.

Prior to such a dismissal there will always be at least one meeting in line with the principles outlined in the disciplinary procedure.

### **Hours of work**

Normal hours of work are 37 hours per week. Your actual times of work are as specified in your written particulars and will normally include a core time (typically 81% of your hours) with some remaining flexible hours which may include evening and weekend work as required. Where applicable, Friday lunch is extended slightly for Friday prayers for Muslim employees.

Salaried employees are expected to work such hours, including evening and weekend work, as may reasonably be required for the performance of their duties.

Staff may be required to adjust their hours from time to time to ensure the office is manned.

## **Payment of earnings**

Details of your annual salary are to be found in your own written particulars.

Salaries are paid monthly, in arrears, via BACS on the 28th day of each month.

Sessional workers are paid by cheque on submission of their monthly time sheet with two working days delay.

In the event of over-payment of earnings you will be advised and the excess payment will be deducted from your next payment, in normal circumstances. If over-payment has persisted for some time, repayment over an appropriate period of time will be allowed.

All queries regarding payment of your earnings should, in the first instance be referred to your line manager.

## **Holidays**

Full time employees are allowed an annual holiday leave entitlement of 25 days including Bank Holidays. Two days of this entitlement are to be taken at Eid. Ramadan, if taken, is part of your holiday entitlement (for Muslim Employees).

The holiday year runs from 1 April to 31 March.

Holidays should be booked at least two weeks in advance using the request form and agreed with your line manager. Prior to booking a holiday, you must first check availability of dates with your line manager.

Conflicts will be resolved on a first come, first served, basis subject to discretion.

### **Pay**

Pay during holidays will be at your normal pay rate based on your normal hours of work.

If you are required to work a Bank or Public holiday then you will be paid your normal rate and you may take your holiday on another day.

### **Accrual**

Holidays are accrued at two and one twelfth days per month.

You do not accrue holiday pay while you are off sick. Sickness while on holiday does not entitle you take holiday at another time.

Holiday entitlement continues to accrue during ordinary maternity leave, parental leave, paternity leave and unpaid leave.

On the termination of your employment you will be entitled to a day's salary for each full day of holiday accrued but not taken in the year of your departure. If you have taken more holiday than your entitlement, ASCCC may deduct a day's salary for each full excess day from any monies owed to you.

By signing your contract you agree to such deductions.

Payment in lieu of your holiday entitlement is not permitted except for accrued holiday entitlement on termination of employment.

## **Sickness policy and procedures**

### Reporting procedure

You must inform your line manager as soon as possible on the first day of absence, if you are unable to come to work due to sickness or injury. You should indicate approximately when you expect to be able to return to work. You are expected to telephone personally and not to pass a message through a third party. However, if you are unable to telephone personally through illness, you may ask a relative or friend to telephone for you.

If you are away for up to seven days you must complete a self certification form. On the eighth continuous working day of absence you must provide us with a certificate from a registered medical practitioner stating the reason for your absence and how long you should stay away. You must provide further certificates if you are still away after that date. Late forms could lead to non-payment of SSP.

Self-certification forms can be downloaded from the Internet version of this handbook.

During any such absence you must keep ASCCC - your line manager regularly informed about your state of health and your likely return date.

Because of the rules relating to the payment of statutory sick pay, it is important that your certificates indicate actual days of sickness even if they are sometimes days when you would not have worked.

If you fail to comply with the reporting procedure you may be subject to disciplinary action and you may lose your right to statutory sick pay.

Sickness on Bank Holidays, rest days or other holidays does not entitle the day(s) to be taken on different dates.

### Pay

Provided you satisfy the requirements above you will receive Statutory Sick Pay according to the applicable legislation. If you are not eligible for Statutory Sick Pay then you should download and complete Form SSP1 from [http://www.dwp.gov.uk/advisers/claimforms/ssp1\\_print.pdf](http://www.dwp.gov.uk/advisers/claimforms/ssp1_print.pdf)

The form comes with notes that will help you fill in the form and tell you what to do.

### Prolonged or persistent illness

In the case of prolonged or persistent absence totalling 14 work days or more you must discuss the nature of the absence with us if we request it. We may require you to undergo a medical examination by a practitioner of our choice. ASCCC will meet the cost of such an examination. In this latter context you have rights under the Medical Reports Act 1988 and these will be explained to you if the occasion arises.

We will consult with you in order to examine any options, including any appropriate and reasonable adjustments that might facilitate a return to work.

## **Attendance policy**

This policy and procedure covers all staff and should be read in conjunction with the Sickness policy and procedures.

ASCCC wishes to support all employees to achieve standards of attendance and to address any associated issues. Non-attendance has a high cost in terms of efficiency and additional

pressure placed upon other team members and direct costs. You have a responsibility to keep absence to a minimum.

Medical Practitioners and health experts offer medical guidance and provide objective support to staff with health problems. Failure to resolve an attendance issue may result in the termination of your employment.

#### Recording attendance

Your line manager has overall responsibility for attendance and resource management and is the key contact on attendance issues, providing procedural guidance, support, monitoring and recording your attendance.

#### Unacceptable levels of attendance

Due to the nature of many of the jobs and staffing levels, high levels of absenteeism or repeated spells of sickness/absence cause considerable disruption. Both short term/spasmodic and long term sickness absence cause disruption to operations and incur additional costs. They also place an undue burden upon other team members. Therefore, in order to ensure consistency your line manager will investigate and arrange a meeting to discuss the situation further with you where the levels exceed any one of the following:

##### Any unauthorised absence

Two days late in one month

14 days sickness in a twelve month period

4 spells of sickness in a twelve month period

Dependent upon the outcome of this meeting counselling may be appropriate or disciplinary action taken.

Issues of capability arising from poor levels and/or patterns of absence are distinct from capability issues involving long term health problems or disability.

#### Long term absence

Should you unfortunately become disabled or suffer from a long term health problem during employment it is ASCCC 's policy to make every effort to help you retain your original position. Your line manager will try and balance the needs of the business with their support for you in the event of long term sickness. In the event that the length of your absence causes operational problems, which requires your return or replacement, your line manager will determine what action is to be taken.

Action may include a personal interview with you or a request to provide a medical report from your GP or an appointed ASCCC doctor who is more knowledgeable about the working environment. The examination will determine your fitness to resume your normal role. Once sufficient medical advice is available, a further meeting with you will be arranged to discuss it.

All alternative employment options including transfers, part-time working, and reasonable adjustments to work premises, practices or equipment must be fully examined by ASCCC and discussed with you. You may be suspended from work on full pay, remain on sick pay or be transferred onto maternity leave where the absence is a pregnancy related sickness and occurs within the four weeks prior to the expected date of birth. Absence due to pregnancy will be dealt with due regard to your statutory maternity rights.

If it is advised by the doctor that you are fit to return to work, ASCCC will cease to pay sick pay and you will be expected to be at work the following morning.

#### Intermittent absence

Short term spasmodic absence is particularly disruptive, as it cannot be planned for and puts more pressure on managers and colleagues.

Intermittent non-attendance will be dealt with in accordance with the stages of the disciplinary

procedure, as appropriate. Where the absences are unexplained or may have an underlying sickness reason a medical examination will normally be requested. The examination may be carried out by your own GP and/or a Doctor appointed by ASCCC. Their objective is to provide ASCCC with sufficient information to more effectively balance your needs with that of the organisation, or to make a decision regarding your continued employment.

Irrespective of the cause of the intermittent absences, you will be warned of the consequences of further failure to meet attendance targets at each stage of the disciplinary procedure. If the disciplinary procedure is exhausted without sufficient improvement in the level of attendance, you may have your employment terminated with due notice on capability grounds.

### **Code of conduct**

You must act, at all times, in such a manner so as to safeguard and promote the interests of ASCCC and its customers.

You are personally accountable for your practices and in the exercise of your duties you must:

- always act in such a manner as to promote and safeguard the interest of ASCCC, fellow employees and its customers.
- ensure that no act or omission on your part, or within your sphere of responsibility, is detrimental to the interests, condition or safety of customers and their employees.
- maintain and improve your professional knowledge and competence.
- acknowledge any limitations in your knowledge and competence and decline any duties and responsibilities unless able to perform them in a safe and skilled manner
- work in an open and co-operative manner with fellow employees and customers
- report to your immediate superior any circumstances in which your duties cannot be carried out safely or where it appears that the health or safety of colleagues or other parties is at risk.

### **Gifts**

Nominal gifts, boxes of chocolates, bouquets of flowers may be accepted, but must be declared to your line manager.

Larger gifts and gifts of cash must receive prior approval before acceptance. If you are the recipient of such a gift you should explain the situation to the donor in a courteous manner.

### **Data protection policy**

All personal data has to be managed in accordance with the principles of the Data Protection Act 1998. It is ASCCC policy to comply with the Act and this policy is a guide for all employees.

#### **Confidentiality**

This policy and guide must be read in conjunction with the Confidentiality Policy.

#### **What is personal data?**

Personal data is information that relates to an identifiable living person. It does not need to be "confidential" or "private" to be deemed personal data. A note describing when access can be gained to a named individual's premises is "personal data" as is an ex-directory telephone number. In practice, most information held about an individual with the person as the focus

(past or present), and which is biographical, is "personal data". This applies to information on fellow workers and individual customers.

### Sensitive personal data

Some data is especially sensitive and this includes physical and mental health, disabilities, racial or ethnic origin and religious belief. Where you are aware of such information it must not be disclosed, or even recorded, without the explicit permission of the person concerned (there are a few very specific exceptions).

### What are my responsibilities?

You must not, except in the proper course of your duties either during your employment or thereafter, use, communicate, or disclose directly or indirectly to any person or organisation, personal data that you come into contact with during the course of your work. You must use your best endeavours to prevent any unauthorised communications or disclosures. In particular, you must:

- Be sure all personal data has been fairly and lawfully obtained and is so used. Do not, for example, keep information on a customer's religion.
- Use data only for the purposes specified by ASCCC.
- Make sure that whatever personal data you keep on behalf of ASCCC is adequate, relevant and not excessive in relation to that purpose or purposes.
- Keep such data accurate and up to date
- Not keep such data longer than necessary for the purpose in question
- Respect the rights of individuals in using the data (the right to privacy, for example)
- Keep such data secure and not remove it from ASCCC premises without written permission. You are required to return on request any information that is held at your home, for example. Having returned such information then you must delete it from your own data store(s).
- Consult a Manager before transferring such data outside the European Community unless in line with explicit instructions authorised by a Manager.

In areas of uncertainty contact a Manager in the first instance. Casual "gossip" about fellow employees or customers, for example, is a breach of this policy and is a disciplinary offence. Any serious breach, such as discussing one customer's health problems with another customer, may be regarded as gross misconduct.

### References

No employee may give a reference on behalf of ASCCC without the explicit authority of the General Secretary. An unauthorised reference is a disciplinary offence and if it exposes ASCCC to a claim for damages it will be regarded as gross misconduct.

### **Dress code**

ASCCC does not discriminate on religious beliefs (other than when religion is a genuine occupational requirement), nevertheless all employees are expected to show respect for the culture and the practices of the Crompton Ward community and the users of the community centre.

It is a requirement of employment that employees dress with modesty.

Visible tattooing or body jewellery (other than earrings) is not acceptable.

## **Emergency time off for dependants**

You are entitled to take a reasonable amount of (emergency) unpaid time off during working hours to deal with an emergency involving a dependant. It is intended to cover unforeseen matters. It is not intended to deal with situations where you know in advance that you are going to need time off (though other arrangements might help you in such situations, for example, taking time from your annual leave entitlement).

In order to exercise your right to take unpaid time off to care for a dependant you must tell ASCCC as soon as reasonably practicable (except in circumstances where this is impossible until you return to work) of the reason for your absence and the period for which you expect to be absent.

Under this procedure there is no set limit to the amount of time off which can be taken. However, in most cases the amount of leave will be one or two days at the most. This leave is intended to enable you to cope with a crisis – that is to deal with the immediate care of a child, visiting the doctor if necessary, and to make longer term care arrangements. It is not intended to enable you, for example, to take two weeks leave to look after a sick child.

If the reason you need leave relates to your child, you may be entitled to take parental leave.

Who is a dependant?

Someone is a dependant if they are:

- Your husband or wife
- Your child (that is any child for whom you have parental responsibilities)
- Someone who lives with you as part of your family (though not if they are an employee, tenant, lodger or boarder)
- Where a person reasonably relies on you for assistance then they count as a dependant on an occasion when such a person falls ill, gives birth, or is injured or assaulted
- If a person reasonably relies on you to make arrangements for the provision of care then they count as a dependant for that purpose and in the event of disruption or termination of those arrangements.

For what purposes can you take time off?

You are entitled to take a reasonable amount of unpaid time off for the following purposes:

- to provide assistance on an occasion when a dependant falls ill, gives birth, or is injured or assaulted
- to make arrangements for the provision of care for a dependant who is ill or injured
- in consequence of the death of a dependant
- because of the unexpected disruption or termination of arrangements for the care of a dependant
- to deal with an incident which involves your child and which occurs unexpectedly in a period during which an educational establishment, which your child attends, is responsible for him or her

## **Flexible working**

If you are the parent of a child under 6 years old or a disabled child under 18 years old, you will have a statutory right to request flexible working. This right also applies if you are caring for an adult to whom you are married or who is a partner or civil partner to you, or if you care for a relative or someone living at the same address. You should request this right using the guidance or form in the DTI booklet at <http://www.dti.gov.uk/employment/employment-legislation/employment-guidance/page35663.html> where your rights are set out in more detail.

We will respect your statutory rights but may decline such requests if we have good reason. If you disagree with our decision then your right to appeal and further rights are set out in the DTI booklet.

## **Health and safety policy statement**

### Management responsibilities

The General Secretary has ultimate authority and responsibility in relation to health and safety topics. Together with the Management Team s/he will ensure as far as is reasonably practicable the health and safety at work of all his/her employees, and in particular:

- the provision of systems of work that are, so far as is reasonably practicable, safe and without risk to health
- arrangements for ensuring so far as is reasonably practicable, safety and freedom from risks to health in connection with lone working and working with those who may have criminal convictions
- the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his or her employees
- to maintain any place of work under his or her control so far as is reasonably practicable in a condition that is safe and without risks to health, and to provide and maintain in similar condition means of access and egress from that place
- the provision and maintenance of a working environment for employees that is, so far as is reasonable practicable, safe and without risk to health and adequately provided with facilities and arrangements for their welfare at work.

### Your responsibilities

Each employee is expected to conform to ASCCC policy and regulation on health and safety topics and to recognise their responsibility in law for their own safety and that of colleagues as well as those persons with whom they come into contact during the course of their work. Further, employees are expected to help and co-operate in achieving safe and hazard-free working areas and operations.

Specifically, you must comply with the following:

- all precautions, prescribed in an approved method of work must be applied as directed
- all equipment, work and storage areas, gangways, stairways and staff facilities should be maintained in a clean and tidy condition

- any dangerous or injurious incident or 'near miss' must be reported at the earliest opportunity to a Manager and appropriate details recorded in the Treatment and/or Accident Book
- properly use, and not interfere with the working of, any item provided in the interests of safe and healthy working conditions.
- expressly not engage in practical joking, horseplay or reckless behaviour whether risk or danger to others is intended or not
- while working away on others premises, obtain and comply with all local safety policies, procedures, rules or precautions

Failure to comply will render you liable to appropriate disciplinary action.

This policy will be reviewed as often as appropriate.

### **Internet and email policy**

#### ASCC information systems

ASCCC information systems are all the hardware, software, applications and data/communications networks that together provide the capability to generate, process, transmit, receive and store information electronically, these include, for example, the use of communication systems such as Word files, Intranet and Internet.

ASCCC information systems and IT facilities are provided for business purposes. Where you are given access to computer information systems and services, it is on the basis that these are essential tools for the job. Employees who use such facilities must follow an authorisation process that provides the necessary accounts and passwords and determines the terms and conditions of access.

Misuse of ASCCC Information Systems or IT facilities will lead to disciplinary action which, in serious cases, could result in your dismissal.

Unauthorised access to ASCCC Information Systems will lead to disciplinary action that could result in your dismissal.

ASCCC may allow occasional and reasonable use of its information systems and IT facilities for non-business (personal) purposes, subject to the usage guidance given below.

ASCCC recognises that there are risks associated with the use of information systems and technology and will seek to minimise these risks and their impact. Where appropriate, you are required to play your part in protecting the information and information technology assets of the business.

#### ASCCC information

All information generated, processed, transmitted, received and stored on ASCCC Information Systems may be audited at any time. Any information held on ASCCC systems may be subject to audit and removal without notice. You are therefore advised not to regard any information that you create on information systems, including email, as private.

#### Monitoring, recording and disclosure

Access to ASCCC Information Systems will be monitored as and when required. Monitoring processes generate audit logs that may be used to detect misuse of ASCCC systems, as defined by the Computer Misuse Act 1990, and other criminal acts or breach of requirements established in this policy.

ASCCC may monitor and record communications made using ASCCC information systems and IT facilities where they are relevant to the business, for quality control or employee training purposes, for ascertaining compliance with its regulatory practices or procedures,

preventing or detecting crime, for investigating or detecting any unauthorised use of or ensuring the effective operation of its data/communications systems (e.g. monitoring for viruses), and monitoring or determining whether or not such communications comply with this policy.

#### Confidentiality

Information is a ASCCC asset that may be sensitive or commercially valuable. You must take all reasonable precautions to protect the confidentiality of information. (See also the Data Protection Policy).

#### Passwords

To ensure that ASCCC information is protected, system users are held responsible for safeguarding passwords and access identities. Passwords and identities must not be shared. You are responsible for all use of information systems and technology, and for any information stored or communicated, using your identity or password. If ASCCC information is taken off site it must be password protected or encrypted.

#### Unauthorised third party software or hardware

Software or hardware must not be connected copied or downloaded, modified, adapted or loaded by users onto any ASCCC technology or system without prior, written approval from a Manager. Put your request in an e-mail.

#### Email is business correspondence

Email should be regarded in the same way as any other type of correspondence or communication and treated as a record of the business. The content of an email or of any electronically stored or transmitted information can be legally binding; therefore employees must avoid making commitments via email or the Internet on behalf of ASCCC without full authority.

#### Email and internet usage guidance

Internet access is a standard tool available for anyone provided with a computer that is connected to the ASCCC network. Email is available to employees provided with access to do their job. Access to either is granted subject to compliance with normal standards of behaviour in a work environment, particularly in terms of material viewed or circulated.

#### Limited personal use

ASCCC information systems and IT facilities are provided for business purposes. Occasional and reasonable personal use is permitted provided that it is outside of working time. Misuse or excessive personal use of ASCCC information systems will be investigated and may result in disciplinary action. Examples of reasonable personal use of ASCCC information systems and technology are:

- exchanging email with relatives or personal contacts
- personal financial services
- internet shopping for personal consumer items
- making personal travel arrangements
- reading news
- taking part in discussion groups associated with personal interests
- carrying out research for personal interest
- recording personal information on ASCCC information systems in excess of 1Mb

As examples, ASCCC information systems and technology must not be used:

- in circumstances where correspondence could be associated with ASCCC, for example by use of the ASCCC domain name

- to undertake activities detrimental to the reputation or interests of ASCCC or are libellous of any other person's or ASCCC's reputation, products or services
- in a way which adversely affects the performance of your job
- to further the interests of any other enterprise, unless with express written permission
- to undertake activities of an offensive, sexual or discriminatory nature based on sex, race, sexual orientation, age, disability, national origin, religious or political beliefs
- to express unauthorised views or make comments or commitments that could appear to be on behalf of ASCCC
- to copy, distribute or receive copyrighted or confidential materials without the authority of the owner
- to deliberately visit web sites or contribute to News Groups that advocate illegal activity
- to initiate or participate in the sending of chain letters, 'junk mail' (unsolicited commercial electronic mail), 'spamming' (sending unsolicited messages indiscriminately to multiple mailing lists, individuals, or newsgroups) or other similar mailings
- to transmit messages or material that solicit or promote a religious, charitable, political or other cause, unless authorised by ASCCC
- to obtain or disseminate unauthorised software that could put the security of ASCCC network at risk
- to undertake illegal trading
- for job searching

In the event that you inadvertently access an inappropriate Internet site, use the Back button on the browser to return to the previous page used, or to ASCCC Home page. Failure to follow this guidance may lead to disciplinary action.

## **Media**

No statements are to be made by employees. Such statements will be made by the Executive Committee only and all approaches for comment from the media or elsewhere must be referred to them.

Employees should also be aware that comments made in e-mails can also enter the public domain as can, obviously, comments made publicly. Therefore all employees have a responsibility to safeguard the reputation of ASCCC at all times. Personal views must never be expressed in a manner that can be associated with ASCCC.

## **Parental leave**

You are entitled to take unpaid parental leave if you

- have completed one year's weeks continuous employment with ASCCC, and
- are the parent (named on the birth certificate) of a child who is under five years old or
- have acquired formal parental responsibility, under appropriate legislation, for a child who is under five years old.

The purpose of parental leave is to enable employees with parental responsibility time off to spend time with and to look after a child or to make arrangements for the child's welfare.

Parental leave is unpaid, and is for a maximum of 13 weeks for each child and can be taken by both mothers and fathers. Leave taken with a previous employer counts towards the maximum entitlement.

When can you take parental leave?

You are entitled to take parental leave in respect of a child up to and including the child's fifth birthday. The only exceptions to this are:

- if your child is entitled to a disability living allowance, you may exercise your entitlement to parental leave in respect of that child up to and including your child's 18th birthday

- if the child was placed with you for adoption, you may exercise your entitlement to parental leave in respect of that child up to and including the fifth anniversary of the date on which the placement began, or the date of the child's eighteenth birthday, whichever is the earlier
- if ASCCC has postponed your request for parental leave

How much parental leave can I take?

You can take up to thirteen weeks (eighteen weeks if you are the parent of a disabled child) unpaid parental leave per qualifying child. In the case of multiple births (i.e. twins, triplets etc) you can take up to thirteen weeks unpaid parental leave in respect of each child.

Parental leave cannot be taken in periods other than a week or a multiple of a week at any one time (except where the child is entitled to a disability living allowance), and is limited to a maximum of four weeks leave in respect of any individual child in any one year.

A year is the period of twelve months beginning on the date on which you first became entitled to take parental leave in respect of the child in question.

Requesting parental leave

At least 21 days before the start of your proposed period of parental leave you must notify us in writing that you wish take parental leave via the Staff manager. We may require seeing documentary evidence, to our reasonable satisfaction, of your right to take parental leave.

If you are an expectant father and the period of leave is to begin on the date on which the child is born, you must confirm in writing, via your line manager, the expected week of child birth and the amount of leave required at least twenty one days before the beginning of the expected week of child birth.

If the leave is in respect of an adopted child and is to begin on the date of the placement for adoption you must confirm in writing to us in writing, via your line manager, the week in which the placement is expected to occur and the duration of the period of leave at least twenty one days before the beginning of the week of adoption or if that is not reasonably practicable then as soon as is reasonably practicable.

Postponement of leave

We can postpone the period of parental leave requested by you if ASCCC considers that the operation of its business would be unduly disrupted by you taking leave during the period identified in your notice.

However we cannot postpone your parental leave if the period of leave is to begin on the date on which the child is born or on the date on which the child is placed with you for adoption.

We will give you written notice not more than seven days after your notice was given to ASCCC, if we wish to postpone your request for parental leave. This notice will specify reasons for the postponement and the start and end date to which the leave has been postponed. In all cases you may take a period of leave of the same duration as that specified in your notice and beginning on a day determined by us in consultation with you. We will not postpone parental leave for longer than six months after the date on which it was originally due to commence.

Protection of employment

Whilst on parental leave, you will continue to benefit from our implied obligation to you of trust and confidence and to the conditions of your employment relating to notice of the termination of employment, compensation in the event of redundancy and the disciplinary and grievance procedures.

Whilst on parental leave, you will continue to be bound by your implied obligation of good faith

to us as your employers and the conditions of your employment relating to notice of termination of employment, disclosure of confidential information and participation in any other business.

If you exercise your right to parental leave, you will be afforded the right to return to work to the same job or to an equivalent or similar job, on the same terms and conditions as would have applied to you had you not been absent from work during the period of parental leave. You will not suffer detriment for taking or seeking to take parental leave or for any other reason connected with parental leave.

## **Policy on substance use and abuse**

### Introduction and purpose

Dealing with substance abuse and its effects in the workplace is a complex matter involving legal, social, safety and health considerations, potentially. This policy is intended to communicate ASCCC expectations of employees and to provide a framework for a consistent and fair approach where matters need to be addressed. The policy applies to all employees and associated parties. However, this policy is not an addition to, nor part of, your contract of employment. It provides guidance, but each case is individual and the procedures may be varied where issues or implications arise that are not covered here.

Where circumstances do give rise to variation, the policy will be reviewed subsequently.

This policy is intended to cover alcohol, classified drugs, and substances that may be misused, such as solvents. It is not intended to cover smoking. See Smoke free policy.

### Important rules

Medication that may affect your ability to carry out your duties safely or effectively must be declared to your line manager, or in exceptional personal circumstances to the General Secretary, only. Reasonable adjustments will be made for anyone who has a disability that is controlled by medication. This applies where the disability is declared, or where we might reasonably be aware of it.

There is to be no consumption of alcohol at work.

Illegal drug activities or the possession of illegal drugs during the course of employment will be reported to the police. It is also gross misconduct and is likely to result in summary dismissal.

If you are driving or operating machinery you must be capable of doing so safely. If you do so while affected by alcohol or drugs (including prescribed drugs such as anti-histamines) you will be subject to appropriate disciplinary action. In hazardous areas this may include dismissal.

These rules are not exhaustive but are intended to indicate what ASCCC regards as most important.

Where relevant, these rules apply to workers, subcontractors and visitors to ASCCC premises. Contracts may be terminated, with or without, notice.

### Assistance

If you fear that you may be alcohol or drug dependent you should inform your line manager or in exceptional personal circumstances the General Secretary. Such dependency will be dealt with in a confidential, sympathetic and non-judgemental manner, as any other illness. If the circumstances, that give rise to an awareness that you are dependent, are misconduct or gross misconduct, and if you acknowledge the dependency, such illness will be taken into account in reaching any disciplinary or employment decision.

Absence for treatment or rehabilitation that is agreed with ASCCC the Line Manager will be

treated as sickness and subject to the same eligibility and payment terms. Long-term absence will be treated as a capability issue as will any further absence resulting from a relapse.

If you have any concerns about alcohol, drug or substance use you should consult your line manager. Early identification and treatment can avoid much distress later. The line manager can also direct you to sources of help and advice, for example if you are experiencing social pressures in drug use or excessive work stress. All such approaches will be treated in complete confidence.

## **Recruitment policy**

### Aim of the policy

This policy is intended to set out the values, principles and policies underpinning this ASCCC's approach to recruitment.

Any issues arising from this policy should be raised with your line manager.

### Policy statement

The aim of ASCCC's selection procedure is to ensure that the most suitable candidate is chosen for the job and that all applicants receive fair and equal treatment.

### Philosophy

ASCCC is committed to providing equal employment opportunities to all job applicants based on merit.

### Job posting

ASCCC provides employees with an opportunity to indicate their interests in open positions and to advance within ASCCC according to their skills and experience. In general, notices of all regular, full and part-time job openings will be posted, although ASCCC reserves its right not to post a particular opening.

To be eligible to apply for a posted job, an employee must be performing competently in their present position and have held it long enough to make a significant contribution. ASCCC encourages employees to talk with their line manager about their career plans and managers are encouraged to support employees efforts to gain experience and advance within the organisation.

An applicant's line manager may be contacted for an account of an employee's performance, skills and other factors relevant to any application they may make. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

### Personnel selection

All applicants will be sent an application form, a copy of this policy (or they may be referred to an internet copy) and a job description. Only applications made using the proper form and received by any advertised deadline will be considered.

Information about applicants will be used for recruitment/employment purposes only.

Applicants will be short-listed by comparing their application form with the person specification for the job.

All short-listed candidates will be offered an interview and given details of ASCCC, the position for which they have applied and the terms and conditions of employment.

ASCCC practices an equal opportunities policy and wishes to recruit and employ those people who are best suited for the vacancies for which they have applied.

## References

All offers of employment are made on condition that satisfactory references are obtained in respect of the applicant. If the references prove to be unsatisfactory, the offer of employment may be withdrawn without ASCCC being in breach of contract.

Applicants should agree in writing that their present employer may be approached for a reference.

If a reference, verbal or written, is deemed unsatisfactory, the appointee should be told and given written confirmation that the offer of employment is withdrawn since the condition to which it was subject has not been fulfilled.

When recruiting new staff ASCCC will refer to the Protection of Vulnerable Adults register and a full check will be made with the Criminal Records Bureau on the favoured candidates.

Other than referees, and the CRB check on favoured candidates, information from other parties will not be sought without the applicant's written consent.

## Job interviews

Job interviews provide an opportunity for ASCCC to get the information it needs about applicants to decide which is most suitable for the position in question.

Every attempt will be made to ensure that interviews are conducted under conditions, which are favourable to interviewees giving their best. Interviewers must ensure that they have all the appropriate documentation before the start of the interview. The assessments made by interviewers must be formally recorded on an interview assessment form. This assessment and any notes made at interview must be made available to the interviewee if the interviewee makes a request. The request should be made in writing to the Manager. Interviewers must not make offers of employment or suggest variations to standard terms and conditions of employment at the interview.

## Offers of employment

Terms of appointment and employment between ASCCC and its employees are always confirmed in writing. If due to exceptional circumstances, a verbal statement of terms cannot be avoided it should always be stated that it is subject to written confirmation.

Formal offers of employment will be made in writing after all short-listed candidates have been interviewed.

## Security

All application forms, references and other documents will be kept secure in locked drawers or cabinets. Access to electronic files will be password controlled.

No recruitment record will be held beyond the statutory period in which a claim can arise from the recruitment process

Unless relevant to an on-going employment relationship CRB checks will record only whether the result was satisfactory or not. Other information will be deleted.

Only information from the recruitment process that is relevant to on-going employment will be transferred to employment files.

## **Smoke free policy**

It is our policy to provide a smoke-free workplace and to protect all employees, service-users, customers and visitors from exposure to second-hand smoke.

This policy will be reviewed periodically.

Smoking is prohibited throughout the entire workplace with no exceptions. This includes ASCCC vehicles and any outside area within our premises. You are not permitted to leave the workplace during normal working hours simply to go outside of our premises to smoke.

The policy applies to all employees, contractors, customers, or visitors. All employees are obliged to adhere to and facilitate the implementation of this policy.

Disregard of this policy will be a disciplinary offence and persistent offences may lead to dismissal.

There are several sources of support for smokers who want to stop:

Smokeline 0800 848484  
www.hebs.com/tobacco  
Your local GP Surgery

### **Special leave**

#### Medical appointments

All medical appointments should wherever possible be made outside of work time, however ASCCC recognises that this is not always possible. Medical appointments will normally be paid at the basic rate of pay.

#### Compassionate leave

One day with pay may be taken for the funeral of immediate family. Immediate family is defined as children, partner/spouse, brothers/sisters, parents, grandparents and great grandparents. Further days may be taken without pay, within reason and with the agreement of your line manager.

#### Jury service

If you are called for jury service, you will be granted leave of absence without pay. You should, therefore, claim for loss of earnings from the court.

#### Community funerals

Reasonable time will be allowed with pay for attendance (only) at Community Funerals, subject to prior permission.

### **Whistleblowing policy (making a protected disclosure)**

This procedure to be followed in handling allegations made against a member of staff regarding a 'matter of serious concern' which has been observed and reported.

It is our policy to encourage the reporting to management of all matters of serious concern involving a member of staff, and for persons to feel that they can do so freely and without fear of reprisals or intimidation. Matters of serious concern will include, but may not be limited to, the following:

- Professional malpractice.
- Abuse of others.
- Concerns over the treatment of children
- Criminal activities (theft/embezzlement/assault, etc).

Persons reporting such incidents can include the following:

- Fellow staff members (peers).

- Customers

Where an incident of serious concern is alleged this must be reported directly to the Chief Executive who will make appropriate enquiries to establish the nature/facts of the incident. Such enquiries will be carried out discreetly and in confidence. It is important that you raise matters when they are just a concern, and not investigate wrong doing yourself. We will take every reasonable care to avoid revealing your identity and will not reveal your name to others without your permission.

Anyone who reveals your name without permission, or victimises you for raising genuine concerns will be subject to disciplinary action.

Where preliminary enquiries show that further investigations need to be made, the staff member against whom the allegations have been made will be advised.

Where the alleged offence is of a serious nature, the following action will be taken:

- The staff member at the centre of the allegation will be suspended immediately on full pay. The staff member will be informed of the necessity for this action and will be assured that, at this point, there is no inference of guilt.
- Report the matter to the Police and/or the other relevant authorities (e.g. Social Services Purchasing Section under the Adult Abuse Procedures)

In normal circumstances a full investigation will be undertaken, interviewing all parties concerned in the allegation. If this is not practicable then such investigations as are possible will be carried out.

Following completion of the investigation:

- If the investigation is sufficient and the allegations are justified the staff member concerned will be subject to the Disciplinary Procedure through to summary dismissal, as appropriate. Criminal charges may be brought by the Police or other parties, depending upon the circumstances.
- If staff member cannot attend investigations or a hearing because of some reason outside the control of ASCCC, such as conditions of Police bail, then continuing suspension beyond five days will be without pay.
- If the allegations are not proven, the staff member will be restored to full duties.

Where the allegation is not proven, but has proven to be a malicious action on the part of the accusing party, then the accuser will be subject to appropriate disciplinary action per the Disciplinary Procedure. This may involve discretionary re-deployment of the accuser's duties, or summary dismissal, as deemed appropriate.

Other than in the circumstances described above, no person will suffer detriment as a result of following the procedure in this policy. However, if you fail to follow the procedure (by taking your concerns to the press for example) you may be committing an act of Gross Misconduct and be liable to summary dismissal.

If you are not satisfied with the internal handling of the matter, or if you have good reason to believe that you would suffer detriment by reporting your concerns, you should raise the matter with the appropriate organisation or body (a public interest disclosure).

If you are unsure whether or how to raise a concern or you want confidential advice, you can contact the independent charity Public Concern at Work on 020 7404 6609 or at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk).

## **Harassment and bullying**

What is it?

Harassment is behaviour that offends the dignity of another person, for example by offensive remarks. It may relate to race, sex, disability or other personal characteristics of an individual. Bullying is harassment in situations where we influence others. Inappropriate language in

giving an instruction or making a criticism would be an example. Swearing in such circumstances is not acceptable.

We recognise that complaints of personal harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior person of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper and your confidential helper can assist you in this.

If you are the victim of minor harassment or bullying you should make it clear to the harasser or bully on an informal basis that their behaviour is unwelcome and ask them to stop. If you feel unable to do this verbally then you should hand a written request to the harasser or bully. If you feel uncomfortable with this please discuss with a senior person.

#### Formal complaint

Where the informal approach fails or if the harassment or bullying is more serious, you should bring the matter to the attention of your line manager as a formal written complaint and a confidential helper can assist you in this. If possible, you should keep notes of the harassment so that the written complaint can include:

- The name of the alleged harasser/bully
- The nature of the alleged harassment/bullying
- The dates and times when the alleged harassment/bullying occurred
- The names of any witnesses

On receipt of a formal complaint we will take action to separate you from the alleged harasser or bully to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser or bully to another work area or suspension with pay until the matter has been resolved.

It must be appreciated that such issues often give rise to conflicting evidence, meaning that it can be difficult to get to the truth of the matter. Though complaints will be treated in good faith there is nevertheless risk in bringing a complaint of harassment or bullying.

#### Investigation

You must understand that the person against whom you are raising a complaint has rights also. They have a right to know about the allegations against them and the right to offer explanations. In practice, this will not be possible without revealing who has made the allegations.

The person dealing with the complaint will carry out a thorough investigation. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

When the investigation has been concluded, a draft report of the findings and of the proposed decision will be sent, in writing, to you and to the alleged harasser or bully.

If you or the alleged harasser or bully is dissatisfied with the draft report or with the proposed decision this should be raised with the investigator within five working days of receiving the draft. The investigator will consider any points of concern before a final report is sent, in writing, to you and to the alleged harasser or bully.

#### Action

If the report concludes that the allegation is well founded, the harasser or bully will be subject to disciplinary action in accordance with our disciplinary procedure. An employee who receives a formal warning or who is dismissed for harassment may appeal against the disciplinary action by using our disciplinary appeal procedure.

If you bring a complaint of harassment you will not be victimised for having brought the complaint. However if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action may be taken against you.

## **Equal opportunities policy**

We are committed to the principle of equal opportunity in employment.

The objective of the policy is to ensure that individuals are selected, promoted and otherwise treated solely on the basis of their relevant aptitudes, skills and abilities.

Management has the primary responsibility for the successful implementation of the policy by:

- not discriminating in the course of employment against fellow employees or job applicants.
- not inducing or attempting to induce others to practise unlawful discrimination.
- bringing to the attention of employees that they will be subject to disciplinary action for failure to adhere to the policy.

As an individual employee you have the responsibility to ensure that you assist the organisation in achieving these objectives by:

- not discriminating in the course of employment against fellow employees, customers, suppliers or members of the public with whom you come into contact during the course of your duties.
- not inducing or attempting to induce others to practise unlawful discrimination.
- reporting any discriminatory action to your line manager.

The successful operation of this policy necessitates a contribution from each employee and you have an obligation to report any act of discrimination known to you.

If you consider that you are suffering unlawful discrimination, you should raise the issue through the Grievance Procedure.

No employee will suffer detriment as a result of any matter raised, in good faith, under this policy.

## **Disciplinary procedures**

### **Purpose**

The purpose of these procedures is to ensure the safe and effective operation of our organisation and the fair and equal treatment of all employees.

Good management will communicate its expectations effectively to employees and, in turn, listen to their needs and expectations. We seek an environment of mutual co-operation and understanding in meeting the aims and mission of ASCCC . Informal means of discussion, communication and counselling will be used to resolve issues wherever possible.

Where more serious conflict arises between the expectations of employer and employee these procedures are designed to resolve issues in a fair and equitable manner. Where feels ASCCC they have a complaint against you the disciplinary procedure will be invoked. Behaviour that could give rise to such a complaint is outlined in the section on misconduct. If you feel you have a complaint against ASCCC you should raise a grievance. The method of doing so is outlined in the section on grievance procedure.

These procedures apply to all employees of ASCCC whether they are part-time or full-time, permanent or temporary employees. However, if during the first three months of service you fail to achieve satisfactory levels of behaviour or performance ASCCC may, at its discretion,

omit some of the stages in this procedure, however there will always be at least one formal disciplinary meeting.

#### General principles

This procedure does not form part of your contract of employment.

No disciplinary action, other than suspension in extreme cases, will be taken against you until the case has been fully investigated.

All stages of the procedure will be implemented without undue delay.

At every stage in the procedure you will be advised in writing of the nature of the complaint against you and will be given the opportunity to state your case before any decisions are made.

Following a decision, you will be informed in writing of any disciplinary action to be taken and the reason for it, indicating the specific areas of improvement required within, where appropriate, a specific period.

You will not be dismissed for a first breach of discipline except in the case of gross misconduct (see the relevant section) when the penalty will be dismissal without notice and without payment in lieu of notice.

A work colleague may accompany you during any disciplinary meeting and you will probably find this helpful.

The procedure may be implemented at any stage if your alleged misconduct warrants such action. Further warnings for misconduct may be applied even if the further misconduct is of a different nature to the previous misconduct.

#### Procedure

You will be advised of the date for any disciplinary meeting. You will be given at least 24 hours notice, unless we mutually agree that we should have an earlier meeting. We will tell you in writing what you are alleged to have done and provide you with details of the evidence available to us.

At such a meeting we will present the allegations against you, which you may question. We will listen to any explanations you may have for your behaviour and ask if there are any mitigating circumstances that might be taken into account.

These points apply at all stages of the procedure.

Those taking the meeting will adjourn it to consider their decision. If it is decided that no action is to be taken, the matter will be closed.

#### Stage 1 - oral warning

If your conduct or performance does not meet acceptable standards your line manager will normally give you a formal ORAL WARNING. This will give the details of the complaint, the improvements required and the timescale for the improvement, depending on the nature of the offence. You will be informed that this is the first stage of the formal disciplinary procedure and of the consequences, should the required improvements not be made. You will be informed of your right to appeal. A brief note of the oral warning will be kept on your personnel file, but it will be removed after 3 months, subject to satisfactory conduct and performance. However, should there be any recurrence of the offence or commission of a subsequent but different offence, whilst the note remains on your file, then stage 2 of the disciplinary procedure may be invoked.

#### Stage 2 - written warning

If the offence is a serious one, or if a further offence occurs, or there is any other breach of

discipline, or improvements in the areas indicated in the oral warning are not achieved within a specified time scale there will be a further meeting. Depending on the outcome of the meeting your line manager will give you a WRITTEN WARNING. This will give the details of the complaint, the improvements required and the timescale for the improvement, depending on the nature of the offence. You will be informed that this is the 2nd stage of the formal disciplinary procedure and the consequences should the required improvement not be made. You will be informed of your right to appeal. A copy of the written warning will be kept on your personnel file, but it will be spent for disciplinary purposes after 6 months subject to satisfactory conduct and performance. However, should there be any recurrence of the offence or commission of a subsequent but different offence whilst the note remains on your file, then stage 3 of the disciplinary procedure may be invoked.

#### Stage 3 - final written warning

If there is still failure to improve and your conduct or performance is still unsatisfactory, or there is any other breach of discipline there will be a further meeting. (If the misconduct is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal there will be a first meeting.) Depending on the outcome of the meeting your line manager will give you a FINAL WRITTEN WARNING. This will give details of the complaint, and the improvement required. It will warn you that dismissal may result if there is no satisfactory improvement (within a specified period, if appropriate). You will also be informed of your right to appeal. A copy of this final written warning will be kept on your personnel file for one year. However, should there be any recurrence of the offence or commission of a subsequent but different offence whilst the note remains on your file, then stage 4 of the disciplinary procedure may be invoked.

#### Stage 4 - dismissal

If your conduct or performance is still unsatisfactory and you still fail to reach the prescribed standards, or there is any other breach of discipline, there will be a further meeting. DISMISSAL will normally result. You will be provided, as soon as reasonably practicable with the date on which your employment will terminate and informed of your right of appeal.

#### Appeal

You have the right to appeal against any disciplinary penalty imposed. You should appeal to the General Secretary, in writing, within 5 working days stating the grounds for your appeal. You may feel that the penalty imposed is too harsh or that you were not given opportunity to explain a particular aspect of your case. You will be invited to an appeal meeting and may be accompanied by a work colleague. As far as is possible in a small organisation, such an appeal will be fair and impartial. Although new evidence will be considered if it is relevant, an appeal is not necessarily a re-hearing. After the appeal hearing you will be informed of the final decision.

#### Gross misconduct - dismissal without notice

Gross misconduct is an offence of such a serious nature that your employment contract can be regarded as breached. If gross misconduct is alleged, you may, at the discretion of the Manager be suspended for five days pending completion of an investigation.

If it is established, after investigation, that there has been an act of gross misconduct, you may be dismissed summarily, with no notice or pay in lieu of notice. The Manager will only make a decision to dismiss following an appropriate meeting with you.

Circumstances that may give rise to an allegation of gross misconduct are described in the section "Gross misconduct".

In the event of summary dismissal, you will be deemed to be no longer in employment from the date of the decision.

We will set out in writing the alleged misconduct that has led to the dismissal and your right to appeal against the dismissal. We will send this to you.

If you do wish to appeal you must inform the General Secretary, in writing, within 5 working days stating the grounds for your appeal. In such cases you will be invited to attend a meeting. You must make all reasonable attempts to attend the meeting.

Should an appeal be lodged which subsequently overturns the initial dismissal, reinstatement will occur with appropriate back-pay to the date of the initial decision, under such circumstances continuous service would be maintained.

Every attempt is made to hear appeals within five working days from the date of the written appeal being lodged, or as soon thereafter as is practical.

We will inform you of the final decision.

## **Disciplinary rules**

### Disciplinary rules - misconduct

The following are examples of misconduct that may lead to disciplinary action. This list does not cover every possibility but is intended to indicate the type of misconduct that could lead to disciplinary action and, if persistent, dismissal.

- Using the telephone, e-mail or internet excessively for personal purposes during work time
- Failure to follow absence reporting procedures
- Unauthorised absence
- Lateness
- Disregard of health and safety policy
- Refusal to follow a reasonable instruction
- Negligent work
- Lack of commitment
- Misuse of ASCCC's facilities or property including removal of equipment without authorisation
- Inappropriate behaviour with the potential to cause offence
- Giving an unauthorised reference on behalf of ASCCC
- Disregard of the Data Protection policy
- Disregard of the Equal Opportunities policy
- Disregard of the Dress Code
- Disregard of the Non-smoking policy
- Disregard of the Gifts policy
- Significant failure in following internal procedures
- Inadvertent statements to the media where the consequences are minor
- Harassment of any description towards another person including offensive or suggestive material, offensive or suggestive comments, unacceptable or suggestive acts
- Any act that is incompatible with ASCCC's Mission

### Disciplinary rules - Gross misconduct

The following are examples of misconduct that may be regarded as Gross Misconduct. In this context the word "serious" implies such severity as to mean a complete breakdown of trust in the employee. This list does not cover every possibility but is intended to indicate the type of misconduct that could lead to summary dismissal.

- Theft from ASCCC, other employees or client organisations
- Fraud (such as serious falsification of records)
- Using e-mail or internet for malicious purposes, or to view or circulate pornography
- Gambling during the course of employment
- Drinking alcohol during the course of employment.
- Fighting or assault on another person
- Malicious damage to ASCCC property
- Incapability through alcohol or being under the influence of illegal drugs
- Wanton negligence

- Gross insubordination
- Serious abuse or misuse of ASCCC's facilities or property
- Disruptive or abusive behaviour causing serious damage to relationships
- Giving of an unauthorised reference that has the potential of exposing ASCCC to a claim for damages
- Any breach of the data protection policy that has the potential of exposing ASCCC to a claim for damages or breaches a fellow employee's trust and confidence in ASCCC .
- An unsafe act exposing self or others to severe injury
- Bringing ASCCC into disrepute
- Flagrant failure to follow ASCCC documentary procedures and regulations
- Unauthorised statements to the media that damage the reputation of ASCCC or bring it into disrepute
- Acts of incitement or intentional acts of discrimination on any grounds
- Serious harassment of any description towards another person.
- Any deliberate act that is entirely incompatible with ASCCC 's Mission.

### **Grievance procedure**

This procedure does not apply where you are appealing against disciplinary action that has been taken against you. In those circumstances, you must appeal to your line manager, in writing, stating your reasons for the appeal within 5 working days.

In other circumstances, if you consider that you are not being treated fairly as an employee then you should raise a grievance. A work colleague may accompany you during any grievance meeting and you will probably find this helpful.

#### **Informal meeting**

You are first encouraged to raise the grievance informally with your line manager. Feelings of unfair treatment often result from misunderstandings and careful communication and discussion can usually resolve these.

#### **Grievance meeting**

If you are not satisfied that your grievance has been resolved, then you must put the details of your complaint in writing, using the Complaints form. The Chief Executive will then arrange a grievance meeting with you to give further consideration to your grievance and may discuss it with others inside ASCCC and, potentially, advisers from outside.

The Chief Executive will normally reach a decision within 5 working days and will communicate this to you in writing as well as verbally and of your right to appeal against the decision if you are not satisfied.

#### **Appeal meeting**

If you wish to appeal you must inform the ASCCC Chief Executive in writing who will invite you to attend a further meeting. After that meeting you will be informed of the final decision.

#### **Grievances raised by past employees**

In circumstances where an employee has already left employment, the procedure above has not been commenced or completed and both parties agree in writing then the following procedure will apply:

The former employee must set out the grievance in writing as soon as possible and send a copy of the grievance to the Chief Executive.

The response will be set out in writing and a copy sent to the former employee.

## Maternity policy

### Policy

ASCCC's policy is to fully comply with legislation on maternity leave, pay and rights and to ensure these rights are known and understood by employees. If you have queries about your rights or the operation of these procedures you should raise your queries with your line manager. Notification requirements covered in these procedures should be addressed to your line manager.

### Ordinary maternity leave

If you are pregnant then, irrespective of service, you are entitled to take 52 weeks' statutory maternity leave (if you expected a child on or after 1 April 2007), two weeks of which must be taken immediately after the birth of your child.

On or before the 15th week before your expected week of childbirth you must notify ASCCC of:

- The fact of your pregnancy
- The expected week of childbirth (EWC), supported by a medical certificate
- Written notice of the date on which you wish to start your leave. This date cannot be earlier than the start of the eleventh week before the EWC. If you subsequently wish to change this date, you must notify BCOM, in writing, at least 28 days before the date you are changing or the new date (whichever is earlier).

It is particularly important that you comply with the notification requirements because if you fail to do so you can lose your rights.

Your maternity leave will start on:

- the written date you have notified us; or
- the first day when you are absent from work wholly or partly due to pregnancy after the beginning of the fourth week before the EWC; or
- the day of childbirth (even if this is before the eleventh week before the EWC)

If you wish to return before the end of your ordinary maternity leave you must give 8 weeks' written notice of your intention (unless EWC was before 1 April 2007 when 28 days will still apply).

### Additional maternity leave

The additional maternity leave follows on immediately after the 26 weeks ordinary maternity leave period and lasts for 26 weeks. We will assume that you are taking this leave unless you notify us to the contrary.

We will notify you of your expected return date. If you intend to return on that date, you need give us no further notice.

If you wish to return to work before the end of your additional maternity leave period you must give 8 weeks' written notice of your intention (unless EWC was before 1 April 2007 when 28 days will still apply).

### Maternity pay

To be entitled to statutory maternity pay (SMP):

- you must have been employed by ASCCC for at least 26 weeks, ending with the fifteenth week (the qualifying week) before the expected EWC

- your earnings must be more than the lower earnings limit for the payment of National Insurance contributions;
- you must notify ASCCC of when you expect our liability to pay you SMP will commence. This notice must be given at least 28 days before that date or, if this is not reasonably practicable then as soon as it is reasonably practicable.

SMP is paid for up to 39 weeks (if you expected a child on or after 1 April 2007).

The first six weeks will be paid at the higher rate, which is 90% of your weekly earnings (calculated at an average of the eight weeks before the qualifying week). If this rate is lower than the lower rate of SMP then the lower rate of SMP will be paid instead.

The remaining 33 weeks will be paid at the lower rate of SMP; a rate determined by the Department of Work and Pensions.

If you have less than 26 weeks' service at the qualifying week or if your earnings are at or less than the lower earnings limit for the payment of National Insurance contributions, you will be issued with a form SMP1, which you should forward to the local Social Security/Jobcentre Plus Office who will pay Maternity Allowance.

#### Antenatal appointments

An antenatal appointment is an appointment you make on the advice of your doctor, midwife or health visitor. The right is for pregnant women and it does not extend to your partner.

You have the right to reasonable paid time off for antenatal appointments, and this includes the time spent travelling to an appointment and waiting. It does not include entitlement to pay for time where you could reasonably attend work beforehand or return to work afterwards.

You cannot be refused time off for the first appointment, but for subsequent appointments we can ask you for written proof of the appointment and a certificate or note from your doctor or midwife, stating that you are pregnant.

#### Rights on return

You are entitled to return to the same job on the same terms and conditions. If, exceptionally, this is not possible (for example if the job no longer exists) you are entitled to suitable alternative employment on terms that are not substantially less favourable.

#### Keeping in touch

We may make contact with you (and you with us) while you are on maternity leave, as long as the amount and type of contact is not unreasonable.

During maternity leave you can work up to 10 days' under your contract of employment, as long as we both agree for this to happen, and agree on what work is to be done and how much you will be paid for it.

Further information can be found at:

<http://www.dti.gov.uk/employment/workandfamilies/maternity-leave-pay/guidance/page21116.html>

<http://www.dti.gov.uk/files/file34285.pdf>

### **Paternity policy**

#### Policy

ASCCC's policy is to fully comply with legislation on paternity leave, pay and rights and to ensure these rights are known and understood by employees. If you have queries about your rights or the operation of these procedures you should raise your queries with your line

manager.

### Qualifying conditions

You are eligible for paternity leave if you:

- have or expect to have responsibility for the baby's upbringing and are either the biological father of the baby or the mother's husband or partner or both
- make a declaration that you are taking leave for the statutory purpose and that you meet these qualifying conditions
- have 26 weeks continuous service ending with the 15th week before the baby is due (the qualifying week) and are employed from the 15th week before the baby is due up to the date of birth.

If you are the husband or partner to the mother, but are not in an enduring family relationship with the mother and baby then you are not entitled to paternity leave.

### Notification requirements

You must notify ASCCC by the end of the 15th week before the expected week of childbirth (EWC) or as soon as reasonably practicable, of the following:

- your intention to take paternity leave
- the expected week of the baby's birth
- whether you wish to take one week's or two consecutive weeks' leave
- when you want to start your leave (if subsequently, you wish to change this date you must give 28 days notice in writing of the date you intend to start, where reasonably practicable)

It is particularly important that you comply with the notification requirements because if you fail to do so you can lose your rights.

### Paternity pay

To be entitled to statutory paternity pay (SPP) you must satisfy the qualifying conditions and the notification requirements.

Paternity pay will be the SPP rate for the length of leave that you have decided to take and is subject to the maximum of 2 weeks. The rate of SPP is determined by the Department of Work and Pensions.

### Rights on return

Your employment terms and conditions, except for remuneration, continue during your two weeks paternity leave and you are entitled to return to the same job on the same terms and conditions.

## **Adoption policy**

### Policy

ASCCC's policy is to fully comply with legislation on adoption leave, pay and rights and to ensure these rights are known and understood by employees. If you have queries about your rights or the operation of these procedures you should raise your queries with your line manager. Notification requirements covered in these procedures should be addressed to your line manager.

This policy applies to employees of both sexes when a child has been placed for adoption.

Entitlement to Adoption Leave can apply to partners of the same sex subject to qualifying conditions.

### Ordinary adoption leave

You will qualify for ordinary adoption leave if:

- You are the child's adopter (where a couple adopt, only one can elect to take adoption leave, but your partner may be entitled to take paternity leave)
- You have 26 weeks continuous service by the end of the Qualifying Week. This is the week in which you are notified as being matched with a child for the purposes of adoption.
- You have notified the adoption agency that you agree to the child being placed with you and have agreed the date of the placement
- You have complied with the notification requirements, below.

#### Notification

You must give us notice, in writing, of your intention to take adoption leave within seven days of being notified of being matched with a child.

Because you only have seven days to give notice, it would be helpful if you notified ASCCC that you were trying to adopt a child early in the adoption process.

In some cases it will not be possible for you to give notice within seven days of being notified by the adoption agency of being matched with the child, in which case you must give notice as soon as reasonably practicable.

You must provide a letter from the Adoption Agency giving their the name and address, the name and date of birth of the child, the date on which you were notified that you were matched with a child, and the date on which the child is expected to be placed with you for adoption.

#### Starting adoption leave

You can choose to start your adoption leave and your adoption pay period on the day the child is placed with you, or up to 14 days before the expected date of placement but no later than that date.

If you choose to start your leave on the day the child is placed with you and you are at work that day, your adoption leave and APP starts the following date

You are entitled to change the date you want to start your adoption leave and your adoption pay period provided you give notice of the new date in writing. If the reason for the change of date is because you want to start your leave and adoption pay period on the day the child is placed with you, you must give at least 28 days before the expected date of placement. If you are choosing a predetermined date, notice must be given at least 28 days before that date. In both cases, if it's not reasonably practicable to give that much notice, you must do so as soon as is reasonably practicable.

#### Additional adoption leave

This is an additional 26 weeks of adoption leave which starts immediately after the end of ordinary adoption leave. If you qualify for ordinary adoption leave, you are also entitled to additional adoption leave.

#### Statutory adoption pay

You qualify for statutory adoption pay if:

- You are still employed by ASCCC in the qualifying week; and
- Your normal weekly earnings in the eight weeks before the end of the qualifying week are not less than the lower earnings limit for the payment of national insurance contributions.

Statutory adoption pay is at the lower rate of statutory maternity pay; a rate determined by the

Department for Work and Pensions.

Statutory adoption pay is paid for 39 weeks so long as the child was expected to be placed with you after 1 April 2007.

You will be paid statutory adoption pay on your normal payday.

#### Disrupted placement

If you are notified the placement will not go ahead after you have started your adoption leave, or the placement is "disrupted" during your leave, your entitlement to adoption leave and statutory adoption pay ends eight weeks after the end of the week in which the disruption occurred. You must notify ASCCC as soon as reasonably practicable if the placement is disrupted during your adoption leave.

#### Early return

Once we have your notice to start adoption leave ASCCC will write to you within 28 days to notify you of the last day of your adoption leave, which will be the last day of your additional adoption leave. If you vary the day you want to start your adoption leave, the last day of your adoption leave will change. In this case, ASCCC will write to you again with the new end date.

If you wish to return to work before the end of your adoption leave period you must give 8 weeks' written notice of your intention (unless the child was expected to be placed with you before 1 April 2007 when 28 days will still apply).

#### Termination of employment

If your employment ends for any reason during or after the qualifying week (provided you are employed for at least one day of the qualifying week) you retain your entitlement to statutory adoption pay. If you do want to resign, you must give the proper amount of notice due under your contract of employment. Should, however, you start working for another employer, you will lose your entitlement to statutory adoption pay from that date.

#### Terms and conditions during leave

During ordinary adoption leave your contract of employment continues in force. All terms and conditions continue with the exception of wages, salary and other remuneration.

With a few exceptions, your terms and conditions during additional adoption leave are suspended. On your part, terms relating to notice of termination of employment (should you wish to resign) and good faith continue during additional adoption leave and you must not do anything to cause substantial harm to ASCCC such as disclosing confidential information or working for a competitor.

You will continue to benefit from our implied obligation to you of trust and confidence and to the conditions of your employment relating to notice of the termination of employment, compensation in the event of redundancy and the disciplinary and grievance procedures.

#### Keeping in touch

We may make contact with you (and you with us) while you are on maternity leave, as long as the amount and type of contact is not unreasonable.

During maternity leave you can do up to 10 days' work under your contract of employment, as long as we both agree for this to happen, and agree on what work is to be done and how much you will be paid for it.

#### Return to work

If you only take ordinary adoption leave you are entitled to return to the same job. If you take additional adoption leave, or ordinary adoption leave with a period of parental leave of more

than four weeks, and it is not reasonably practicable for you to return to the same job, you will be offered an alternative position on no less favourable terms and conditions.

## **Age and retirement policy**

The normal retiring age at ASCCC is your 65th birthday. However, you have the right to request to continue working beyond your normal retiring age, either on an indefinite basis, for a defined period, or until a specified date. The procedure is explained below.

You must not treat any fellow employee (or applicant) unfavourably or harass them on the ground of age; such behaviour may result in disciplinary action.

If you consider that we may have unfairly discriminated on the ground of age then you should raise a grievance under the grievance procedure. If you consider you are being harassed on account of age then you should see the Harassment and bullying policy and use the procedure there.

Procedure for making a request to continue working beyond retirement age

ASCCC will take all reasonable steps to accommodate any request to continue working beyond your normal retirement age.

You will be informed in writing of your normal date of retirement and given details of your right to request to continue working beyond this date. You will be provided with this information at least six months and no more than 12 months before your intended date of retirement.

If you wish to submit a request to continue working you should do so in writing between three months and six months before the retirement date notified to you by us. You should specify whether the request is to continue working indefinitely, for a defined limited period, or until a specified date. The request should be submitted to a Manager

Once such a request has been received, you will be invited to attend a meeting to discuss your request not to retire on the intended date of retirement.

You have the right to be accompanied by a fellow worker of your choice at the meeting to discuss your request not to retire on the intended date of retirement and at any subsequent appeal meeting.

A decision will be made following the meeting, taking into account your representations and the general needs of the business. The outcome of the request will be communicated to you in writing as soon as it is reasonably practicable to do so after the meeting.

### **Appeal**

You have the right to appeal against a decision not to grant a request to continue working. You should appeal to the Chief Executive, in writing, within 5 working days stating the grounds for your appeal. You may feel that you were not given opportunity to explain a particular aspect of your case, for example. You will be invited to an appeal meeting and may be accompanied by a work colleague. As far as is possible in a small organisation, such an appeal will be fair and impartial.

The outcome of the appeal will be communicated to you in writing as soon as it is reasonably practicable to do so after the meeting. ASCCC 's decision at this time will be final.

## **Redundancy**

Selection for redundancy will, in the first instance, be based on the particular work for which you are employed. Where the work has ceased, and involves more than one employee, selection will be based on objective skills-criteria, any current disciplinary warnings and finally, and if need be, length of service. ASCCC will not impose a "bumping" policy where a person in one job is made redundant to provide work for a person in another job who would otherwise be redundant because their work had ceased.

Individual consultation will take place, for which you will have advance notice. We will discuss with you:

- the reasons for the redundancy
- how you have been selected
- how and when it will take effect
- whether there will be a statutory redundancy payment and, if so, how it is calculated

A work colleague may accompany you, if you wish, at any such discussion.

Wherever possible, the following will be considered in order to minimise or avoid the redundancy:

- inviting volunteers
- alternative work, including retraining if appropriate
- continuing work but on reduced hours or other forms of flexible working
- re-arrangement of the work within ASCCC
- voluntary “bumping” where another employee volunteers in your place
- any ideas that you may have

At this point you will be allowed a reasonable time for reflection and have the opportunity to bring forward any matter arising from the consultation meeting.

ASCCC reserves the right to not take up any particular option, at its discretion.

Prior to any dismissal you will be invited to a further meeting. You will be advised of the date for the meeting. You will be given at least 24 hours notice, unless we mutually agree that we should have an earlier meeting, or unless it is reasonable to allow more time. We will give you details of the reason for your selection. You will receive copies of any documents that are to be presented at the meeting. We will remind you of your right to be accompanied by a fellow employee. These matters will be set out in writing.

You must take all reasonable steps to attend the meeting. Those taking the meeting will adjourn it to consider their final decision. You will be informed of the decision and of your right of appeal.

If you wish to appeal you must inform us within 5 working days, setting out the ground for the appeal. We will invite you to a further meeting. We will remind you of your right to be accompanied by a fellow employee. You must take all reasonable steps to attend the meeting. We will inform you of the final decision of the Appeal.

Within the limited resources available to ASCCC we will seek to find another possible employer for you if you are facing redundancy.