



Dealing with Bullying and Harassment in the Workplace

Introduction

Everyone should be treated with dignity and respect at work. Cotswolds Conservation Board is committed to creating an environment where that is the case and no form of harassment or bullying will be tolerated.

This guidance is for all employees and Board members and should be read in conjunction with the organisation's Grievance Policy and the Counter Fraud & Corruption Policy and Confidential Reporting Procedure ('Whistleblowing'), which provides a route for making a complaint. It covers harassment and bullying in both the workplace and any work-related setting away from your main work base.

As an employee, you have an absolute right to complain if you believe you have been harassed or bullied yourself, either by a colleague or a third party, such as a customer, client or supplier or if you have witnessed an incident that you believe to be the harassment or bullying of another report. All complaints will be treated seriously and will be investigated promptly, efficiently and in confidence.

We regard all forms of harassment and bullying as serious misconduct. If you are found to have harassed or bullied a colleague, you will be liable to disciplinary action, which could lead to dismissal without notice.

We will not tolerate the victimisation of an employee that occurs as a result of them making a complaint in good faith against someone or supporting someone else to make a complaint. However, if it is established that an employee has made a deliberately false or malicious allegation against another person about harassment or bullying, disciplinary action will be taken against that employee.

What are harassment and bullying?

Harassment as defined by the Equality Act 2010 is:

Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

What are the relevant protected characteristics?

For the purpose of harassment they are age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

Bullying may be characterised as:

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

What is victimisation in the context of this guidance?

Victimisation is subjecting an employee to a detriment, such as being denied a promotion, because they have, in good faith, made or supported a complaint or raised a grievance under the Equality Act 2010.

Behaviours

Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be subtle or indirect. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Sometimes, behaviour that is considered bullying or harassment by one person may be considered to be perfectly normal or 'just a joke' by another. Different people find different things acceptable but everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

It will usually be obvious to any reasonable person what types of behaviours are completely unacceptable and would, therefore, be regarded as harassment, e.g. sexual touching. It may not be so clear that some other forms of behaviour would be unwelcome or could cause offence, e.g. 'banter' or flirting. In such instances, providing the behaviour stops after the employee on the receiving end has made it clear that such behaviour is unacceptable to them, it will not be considered as harassment and no action will be taken. If the behaviour continues after the employee has been made aware of the offence it has caused, it will be deemed to be harassment and will be dealt with accordingly.

Harassment and bullying are not necessarily face to face. They may also occur in written communications, visual images, emails, phone or postings on social media. Harassment and bullying can make someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and de-motivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always, job performance is affected and relationships in the workplace suffer.

Examples of bullying/harassing behaviour that are not acceptable include (but are not limited to):

- Spreading malicious rumours, or insulting someone by word or behaviour (e.g. copying memos that are critical about someone to others who do not need to know, ridiculing or demeaning someone – picking on them or setting them up to fail)
- Any form of exclusion or victimisation
- Unfair treatment
- Unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion
- Excluding an individual because they are associated or connected with someone with a protected characteristic
- Excluding an individual because they are perceived to have a protected characteristic, when, in fact, they do not
- The open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Demeaning comments about a person's appearance
- Unwanted nicknames related to a person's age, race or disability
- Isolation of an individual or non-cooperation at work
- Physical conduct ranging from unwelcome touching to serious assault
- Overbearing supervision or other misuse of power or position

- Unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- Questions about a person's sex life
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

What can we all do to help prevent harassment and bullying in the workplace?

- Be aware of how your own behaviour may affect others and be prepared to change it if necessary
- Treat your colleagues with dignity and respect
- Take a stand if you think inappropriate jokes or comments are being made
- Make it clear to others when you find their behaviour unacceptable
- Intervene, if possible, to stop harassment or bullying and be prepared to give support to recipients
- Report harassment or bullying to your manager or Publica Human Resources Business Partner (HRBP) and support the organisation in the investigation of complaints
- If a complaint of harassment or bullying is made, do not prejudge or victimise the complainant or the person against whom the complaint has been made.

If you are a line manager, you also have a responsibility to:

- Lead by example with your own behaviour
- Make sure your direct reports know what standards of behaviour are expected of them
- Provide a supportive working environment where your direct reports know that they can raise an issue safe in the knowledge that it will be taken seriously and there will be no reprisals
- Intervene straight away to stop any inappropriate behaviour before it escalates and becomes a formal issue
- Take prompt action to investigate the matter thoroughly and objectively if you receive a complaint of harassment or bullying from a member of your team
- Follow the grievance procedure to carry out the initial investigation
- Advise your HRBP about any issue of alleged harassment or bullying.

What should you do if you think you are being harassed or bullied?

You may be able to sort out matters informally. The person may not know that their behaviour is unwelcome or upsetting. An informal conversation may help them to understand the effects of their behaviour and agree to change it. You may feel able to approach the person yourself or if you would like some support, you should contact your HR Business Partner (HRBP).

You should tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately. You may want to add that, if the behaviour continues, you intend to make a formal complaint.

If an informal approach does not resolve matters, or you think the situation is already too serious to be dealt with informally, you can make a formal complaint by using the Organisation's Grievance Procedure. The process would normally begin with you putting your concerns in writing (email is fine) to your line manager. If your concerns are about your line manager, you should put them in writing to your HRBP.

(In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police. Your HRBP can arrange for someone to accompany you to make a complaint to the police).

In your written complaint you should be prepared to state:

- The name of the person (or persons) whose behaviour you believe amounts to harassment or bullying
- The type of behaviour that is causing offence, together with specific examples
- The dates, times and places where the incidents occurred
- The names of any colleagues or other people who witnessed any of the incidents; or who, themselves may have been the victims of harassment or bullying by the same person; and
- Any informal steps that you have already taken to try to deal with the harassment or bullying.

Please refer to the Grievance Policy for details of what will happen after you submit your complaint.

Your complaint will be treated with sensitivity, and confidentiality will be maintained as far as is practicable with limited disclosure only on a 'need to know' basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about, so they are able to respond to the allegations. Some details may also have to be given to potential witnesses but this will be limited as far as possible, while ensuring a fair and thorough investigation.

If appropriate, we will try to ensure that you and the alleged harasser are not required to work together while the complaint is under investigation. This could involve giving you the option of working from home, where possible, or remaining at home on special leave, if agreed. In the case of serious allegations, the alleged harasser may be suspended while investigation and any ensuing disciplinary proceedings are underway.

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser. You will have the right to be accompanied by a work colleague or Trade Union representative at any meeting dealing with your grievance in accordance with the organisation's grievance policy. You will be kept informed of the general progress of the process of investigation and, subject to data protection requirements, the outcome of any disciplinary proceedings. We will decide, after considering all available evidence, whether or not harassment or bullying has occurred.

If your complaint is upheld, and the person found to have bullied or harassed you remains in the Organisation's employment, every effort will be made to ensure that, if possible, you do not have to continue to work alongside the harasser, if you do not wish to do so. We will discuss the options with you. These may include the transfer of the harasser or, if you wish, you may be able to transfer to another post.

If your complaint is not upheld, your Human Resources Business Partner will support you, the alleged harasser and your manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. This may involve mediation from an external provider if necessary. Redeployment to another post within the organisation could also be an option.

You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that you know to be untrue may lead to disciplinary action being taken against you.

Some types of bullying or harassment may constitute unlawful discrimination and may give rise to the possibility of other civil claims or criminal proceedings. There are strict time limits for bringing claims of unlawful discrimination to an employment tribunal.

What happens if you are being accused of harassment or bullying?

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence. Provided that you do not repeat the behaviour that has caused offence, that may well be the end of the matter.

If a formal complaint is made about your behaviour, this will be fully investigated, as described already, using the Grievance Procedure initially which may lead to disciplinary proceedings against you if the grievance is upheld. We will follow the Organisation's Disciplinary Procedure and you will have the rights set out in that procedure. You will have the right to be informed of the allegations against you and to put your side of the story and to be accompanied to meetings by a work colleague. The procedure will be implemented at the appropriate stage for the seriousness of the allegation. Complaints of bullying and harassment are regarded as serious misconduct that could lead to dismissal without notice.

During any investigations, the arrangements for maintaining confidentiality as already described on will apply.

If appropriate, we will try to ensure that you and the complainant are not required to work together while the complaint is under investigation. If the allegation is of gross misconduct, you may be suspended on full pay during the investigation and, if a disciplinary hearing is to be called, until disciplinary proceedings have been concluded.

If the complaint against you is upheld, a disciplinary penalty may be imposed up to and including dismissal, taking into account the seriousness of the offence and all relevant circumstances. If the complaint is upheld, but you are not dismissed, consideration may be given to transferring you to another post.

If a complaint is made against you that is not upheld and we have good grounds for believing that the complaint was not made in good faith, we will investigate and, if appropriate, will take disciplinary action against the person who made the false complaint.

You must not victimise a person who has made a complaint in good faith against you or anyone who has supported them in making the complaint or given evidence in relation to such a complaint. Disciplinary action will be taken against you if we have good reason to think that you may have victimised the complainant or someone else.

If the complaint against you is not upheld, your Human Resources Business Partner will support you, the complainant and your manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. This may involve mediation from an external provider if necessary. Redeployment to another post within the organisation could also be an option.

Some types of bullying or harassment may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of the Organisation's disciplinary proceedings. You could be personally liable to pay compensation to the complainant if a successful claim in an employment tribunal or other courts was brought against you. Criminal proceedings could lead to conviction and criminal penalties.

Making this policy work

We will aim to:

- Ensure all existing and new employees and others engaged to work at the Cotswolds Conservation Board understand their rights and responsibilities under this guidance document and what they can do to help create a working environment free of bullying and harassment.
- Provide additional support to managers to enable them to deal more effectively with complaints of bullying and harassment.
- Review the outcomes of cases to check that the proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.

When carrying out any reviews or monitoring and keeping records of cases, we will ensure that individuals' personal data is handled in accordance with current data protection legislation.

If you have ideas or information that you would like to share to help improve your working environment and relationships with colleagues in the context of this document, please speak to your line manager or get in touch with your Publica HR Business Partner.



Disciplinary Policy and Procedure

Introduction

The Cotswolds Conservation Board understands the importance of respecting colleagues, customers, clients and acting in a professional manner, which you will see, demonstrated every day by our teams in the way they approach their work. We also believe that an open, honest dialogue between you and your manager is important so that expectations are clear and mutually understood to minimise misunderstandings or confusion. Occasionally expectations for conduct are not met and whilst most minor breaches can be resolved informally, through a conversation with your manager who will explain to what you have done and how you can improve, in certain circumstances we may need to go through our formal procedures.

Informal action

- Your manager should always discuss conduct issues with you at the earliest opportunity and where appropriate should first attempt to deal with any minor misconduct informally before resorting to the formal procedure.

Formal procedure

- The formal procedure will be used when a manager believes that an employee may have committed a breach of conduct: either
 - a further minor breach of conduct that has already been subject to informal action;
 - a matter too serious to be dealt with by informal action;
 - when previous warnings have been ignored;
 - in all cases of alleged gross misconduct.
- The Publica HR Team will be available to provide advice and guidance to the manager, support in investigations and meetings as well as template letters for all stages.
- Matters should be dealt with promptly, taking into account the need for appropriate investigations to be carried out.
- Matters which the organisation view as amounting to disciplinary offences include, but are not limited to: poor attendance, unauthorised absence, abusive behaviour (including bullying and harassment), breach of health & safety and unreasonable refusal to follow an instruction issued by a manager.
- Examples of gross misconduct may include, but are not limited to: assault, theft or dishonesty, serious negligence, endangering life, gross dereliction of duty, discrimination or serious bullying and/or harassment, fraud, serious breach of confidence.
- At the start or during the course of an investigation, if the manager reasonably believes the matter involves a serious breach of discipline the employee may be immediately suspended from work on full pay. Any decision to suspend will be confirmed in writing and such written confirmation will state that the nature of the suspension is precautionary, not disciplinary, pending the outcome of the disciplinary proceedings. In some circumstances, as an alternative to suspension, it may be appropriate to temporarily adjust the employee's duties pending the outcome of disciplinary procedures.

- There is no presumption that a disciplinary procedure will result in a disciplinary penalty.
- All cases will be dealt with in a non-discriminatory and consistent way and we will always offer support when required e.g. occupational health.
- All those involved in a disciplinary procedure will respect the confidentiality and privacy of others.
- Disciplinary hearings arising from a bullying & harassment complaints will be heard by a manager from a different area of the business to the employees.

Stage 1: Investigation

- Where there is uncertainty about whether a breach of discipline has occurred a manager may conduct a fact finding investigation.
- Where there is no need for such investigation, a meeting will be convened under Stage 2 of this procedure.
- Where a fact finding investigation is needed, an employee's manager will promptly and thoroughly investigate any matter that is reasonably suspected or believed to contravene any of the Cotswolds Conservation Board's policies or rules or which may otherwise be a disciplinary matter.
- The employee will usually be informed that a fact finding investigation is being carried out and when it has been concluded.
- Meetings to investigate an issue are not formal meetings at which the employee has the right to be accompanied, however provided it does not cause undue delay, the employee may request to be accompanied by a work colleague or a Trade Union representative.

Stage 2: The meeting

- Where there are reasonable grounds to believe an employee may have committed an act of misconduct a nominated manager will write to the employee notifying them of the allegation/s against them and invite them to a meeting to discuss the matter.
- In cases where the outcome may be dismissal the letter/email must warn the employee of this.
- Details of how the meeting will be conducted will also be provided.
- At any formal meeting employees have the right to be accompanied by a work colleague or Trade Union representative, and the employee will be advised of that right prior to the meeting.
- Employees will be given 5 working days' notice to attend the formal meeting.
- Employees must take all reasonable steps to attend formal disciplinary meetings. Failure to attend a meeting without good reason may be treated as misconduct.
- In advance of the meeting the employee will be given copies of documents relevant to the allegation/s except where such disclosure is inappropriate, for example, in cases where managers believe there could be a risk of intimidation.
- An employee has the right to state their case at the meeting before any decisions are reached and to call relevant witnesses.
- Summary notes will be taken at the meeting.
- Following the meeting, the manager will review the evidence and decide on the outcome.
- If the allegation/s are upheld the penalties that may be imposed, include, but are not limited to:
 - written warning
 - final written warning
 - dismissal (with contractual notice)
 - redeployment to another position, including demotion
 - summary dismissal (without contractual notice)
- The outcome of the disciplinary is based on the manager's reasonable beliefs with regard to the evidence, not what has been proved beyond reasonable doubt.
- Following the meeting the manager must inform the employee of their decision in writing, outlining the basis of the decision reached and any action that is involved. A copy of the summary notes will be sent to the employee for comment.

- A written or final written warning will be disregarded for disciplinary purposes after 12 months or such other period as specified at the time it is issued. In exceptional circumstances a warning may remain in force for more than 12 months.

Stage 3 - The right to appeal

- The employee has the right to appeal against the outcome of the disciplinary process within 5 working days of the date of written confirmation of the action taken.
- The appeal should be made in writing (email is fine) to the Publica HR team and should clearly state the grounds for the appeal.
- The appeal will be heard by a senior manager not previously involved in the case.
- Where an appeal is upheld, reference to the caution or dismissal will be disregarded.
- The outcome of the appeal will be confirmed to the employee in writing within 5 working days of the review taking place.
- The decision reached at any appeal will be final.



Equality and Diversity Policy

Introduction

The Cotswolds Conservation Board is committed to promoting equality and tackling discrimination. This means treating people fairly, valuing differences and removing the barriers that prevent people from fully participating in public life and realising their full potential.

We understand and respect that people are unique and have individual differences and we celebrate this diversity and encourage positive relationships between people with differing needs.

This Policy sets out how we will make equality integral to the way we reach decisions, provide services, recruit and support our employees, work with other organisations and involve local people. Our aim is to make the Cotswolds Conservation Board a fully accessible and inclusive organisation that welcomes and respects the diversity of its customers, elected members, employees, volunteers and visitors. This Policy replaces all of the Board's previous equality schemes.

Our Legal Responsibilities

The Board will meet all legal duties in respect of equality and diversity. The key piece of legislation is the Equality Act 2010, which replaced and consolidated the raft of antidiscrimination laws with a single Act, and has implications for us as an employer and service provider.

The Equality Act 2010 protects people from discrimination on the basis of the following nine protected characteristics: age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion & belief, sex and sexual orientation.

The Act contains an integrated Public Sector Equality Duty, which requires all public bodies and private bodies that deliver a public function, to consider the needs of protected groups when designing and delivering services.

Under the Act, the Board must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
- Tackling prejudice and promoting understanding between different communities.

The Board will also comply with the Conventions contained within the Human Rights Act 1998, which sets out the fundamental rights and freedoms that individuals in the UK have access to.

Our Commitment

The Cotswolds Conservation Board is committed to ensuring equality, fairness, inclusion and good relations are at the heart of everything we do - be it policy-making, service delivery or employment practice.

This is key to delivering our values, specifically **Welcoming – we are for everyone.**

To support our commitment to equality and diversity, the Board will:

- Comply with and embrace equality law and good practice, which includes carrying out our Public Sector duties to promote equality
- Regularly monitor and assess the impact of our policies, services and functions to ensure they are fair and reflect people's different needs and opinions
- Use our influence with our partners and businesses to generate opportunities in the area
- Celebrate diversity and support campaigns for greater equality and awareness
- Make equality and consideration of diversity a part of our everyday business. To do this we will expect all of our Members, employees, volunteers and contractors to:
 - Treat everyone with courtesy, dignity and respect at all times
 - Provide the best possible standards of service and value for money to all our customers
 - Consider the needs and opinions of every community.

Specific Commitments in Employment

The Cotswolds Conservation Board is committed to being a fair and supportive employer, developing the skills and talent within our workforce so that employees are able to deliver high quality services to everyone. To achieve this we will:

- Carry out recruitment fairly
- Provide awareness to employees, Board members and volunteers so that they can implement this policy
- Treat all employees fairly, with dignity and respect at all times
- Tackle unacceptable behaviour in the workplace
- Provide employees with opportunities to influence the development of our policies and practice
- Reward all employees fairly and provide employment conditions which support them to do a good job
- Promote a good work-life balance and opportunities to work flexibly
- Support disabled employees by making reasonable adjustments

Who is Responsible for Equalities?

Equality is the responsibility of every Board member, employee and volunteer of the Cotswolds Conservation Board, and any other person or organisation employed by the organisation to work or to deliver services on its behalf.

Our customers also have a responsibility to treat our employees, volunteers and Board members with dignity and respect, and to let us know if they require assistance or adjustments to enable them to better access our services.

Equality Information

Whenever relevant to do so we will collate, analyse, interpret and publish information about equality and diversity in the workforce, service delivery and our communities. This information will be used in equality analysis to inform our service planning and decision making process, to help us

develop and monitor equality objectives, identify ways of improving performance and to demonstrate compliance with the Equality Duty.

When we ask employees, volunteers and service-users to provide information about their personal characteristics, this will only be done where the information is relevant to the aims of the equality duty – for example if there are known inequalities in relation to a particular outcome or service. The Board will always make it clear that disclosure of sensitive information (e.g. sexual orientation, gender orientation or religion or belief) is optional and not compulsory.

However, without gathering some form of evidence, it may be difficult to monitor the impact of policies and procedures on certain protected groups. The Board will aim to overcome this by creating a culture of trust whereby individuals are comfortable disclosing such information.

The Board will uphold its duty to protect an individual's right to privacy, and will not publish information that could identify an individual. Nor will the information be used to identify an individual or make a decision about them purely on the grounds of the information that has been provided in relation to their protected characteristics. All personal data will be processed in accordance with the Data Protection Act and in compliance with our [Data Protection Policy](#) .

Making our services accessible and easy to use

We constantly strive to deliver services that are easily accessible by all who need them, and to support people to participate in public life. This in turn will help us achieve our duty to foster good relations between different groups and individuals. We are committed to listening to our customers to develop an understanding of how we can break down barriers and better meet their needs. This may involve making adjustments to the way we deliver services where it is reasonable to do so.

We will make sure that everyone has the information they need about our services. We will aim to provide all information in plain English and alternative formats on request. We are committed to engaging effectively with local people, community groups and other stakeholders. We will actively seek their views about the Board and the services they receive.

Employing, supporting and developing our workforce

Our employment practice is guided by the principles of equality and fairness. This includes recruitment, terms and conditions, performance reviews, learning and development, promotion and when ending employment. Our activities and approach to achieving this are set out in our suite of HR policies.

Please contact us if you would like copies of any of the policies. As stated in our specific commitments, all employees, volunteers and members of the Board should be treated with respect and dignity in the workplace. The Organisation will not tolerate unacceptable behaviour in any form, and the Bullying and Harassment Policy sets out how individual members of employees and volunteers should raise concerns they have about the workplace.



Expenses Policy

Introduction

This document outlines what you are able to claim for when carrying out your duties on behalf of the Cotswolds Conservation Board.

All reasonable expenses will be reimbursed as long as they are in connection with your job role and have the approval of your manager. Check with your manager before you incur the expenditure if you are not sure.

All claims should be submitted on a monthly basis, unless agreed otherwise, and by no later than three months after the expenditure has been incurred.

Claims should be submitted for your manager to approve before the 3rd of the month on a Mileage and Expenses Claim Form. Appropriate receipts must be supplied.

Travel expenses

As an organisation, we are committed to the principles of sustainable transport and trying to reduce our carbon footprint. Before you embark on any business journey, think about whether it is necessary at all. If you do have to travel, can you walk, cycle or use public transport?

We do recognise, however, that sustainable options are not always practicable in terms of the additional time a journey may take or the location not being readily accessible by public transport.

Rail – when travelling by rail you should book your ticket as far in advance as possible to access better fares. You should travel in standard class. You will be reimbursed for the full cost of a standard class ticket.

Taxi – normally a taxi should only be used when you are travelling by public transport and going from a station for example to your destination. There may also be occasions where safety is a concern and travel by taxi is the only safe option. The full cost will be reimbursed in these circumstances

Car – when you are travelling in your own car for business reasons, you can claim mileage (see Employee Policy Handbook for details)

However, you must deduct your usual home to work and work to home mileage from the total miles claimed. You must hold a valid driving licence and have the appropriate business car insurance. Please be aware that you are required to report any changes to your driving licence e.g. health/penalty points. From time to time, your manager will ask you to supply your documents for checking.

Details of all journeys should be concisely recorded on the claim and should be sufficient to identify the journey undertaken. As a rule, the mileage between home and permanent base of work may not be claimed.

You should consider car sharing if other colleagues are also required to undertake the same journey.

Bus – if travelling by bus is the most effective method of transport, you can claim back the full cost of your ticket.

Travel time – any time spent travelling for business reasons from your normal work base to another location is taken as work time.

Parking – you can claim back the full cost of parking fees providing you have the ticket or a receipt.

Other expenses

Accommodation – there may be occasions when you will need to stay overnight in a hotel e.g. attending a conference or training course. Ideally, you should arrange for the Office Manager to source and book the accommodation and pay the invoice directly. If that is not possible, you should book a reasonably priced budget hotel and will be reimbursed for the cost of the room plus an evening meal and breakfast.

Meals – if you are required to work away from your normal work base and are unable to return home until late, you can claim the reasonable cost of one meal.

Professional fees – fees will be paid for one subscription p.a. if it is relevant to your job role.

Relocation expenses – if business need dictates, relocation expenses may be paid to an employee who is moving location to take up a job with the Cotswolds Conservation Board.

You may incur other expenses during the course of your work which are not listed here. Payment of such expenses will be at the discretion of your manager and you should get approval in advance.

You are not expected to buy goods or services with your own money that are not for your personal use. Things such as equipment, office materials, stationery or food for a business event for example should be ordered through a purchase order and invoiced or bought with a company credit card.

Eye Tests – Computer users may claim back the reasonable cost of an eye test.

If it is found that there is a requirement to wear glasses for computer use or a current prescription amended incorporating the above the organisation will contribute £75 towards the cost of these.

False claims

Any abuse of the expenses policy may result in disciplinary action and in certain circumstances may be treated as gross misconduct, resulting in your dismissal.



Flexible Retirement Policy

Introduction

The Cotswolds Conservation Board has no fixed retirement age. We acknowledge that retirement is a matter of choice for individuals and will not pressurise employees into resigning because they have reached or are approaching a certain age.

We are proud to employ people of all ages and consider that age diversity is beneficial to our organisation.

Employees planning retirement may ask the Board to consider alternative roles or working patterns. For further information, see our Flexible Working Policy and details below regarding flexible retirement.

Flexible Retirement

Employees who are members of the LGPS can request to either reduce their hours or take a job at a lower grade/rate of pay and gain access to their pension, even though they have not retired. The Board uses this facility in order to provide employees with an opportunity to take a step towards permanent retirement. Any requests for flexible retirement that are approved are regarded as a permanent change to an employee's contract of employment.

To be eligible for flexible retirement, an employee must be a member of the LGPS and be aged 55 or over. This is in accordance with the LGPS rules.

Employees will need 3 or more months' membership of LGPS or have transferred other pension rights into the scheme which makes them eligible to make a flexible retirement request.

In order for an application for flexible retirement to be approved, the Board must give consent to:

- the employee's reduction in hours and/or grade/rate of pay and
- the release of the employee's accrued pension benefits

Requesting Flexible Retirement

Employees who wish to be considered for flexible retirement should submit their request to their manager at least one month before the date on which their contractual notice period would commence. It is anticipated that the flexible retirement, if agreed, would take effect once the contractual notice period has expired (unless agreed otherwise by the line manager).

The procedure as detailed at **Appendix 1** should then be followed. A copy of the "Flexible Retirement Request Form" can be found at **Appendix 2**.

Considering a Request for Flexible Retirement

In considering a request for flexible retirement the impact on service needs will be taken into account and the demonstration of a clear and valid business case will be required. Each request will be considered on its merits and will only be agreed if it is in the Board's economic and/or operational interests to do so.

In considering a request, managers will need to balance the following issues:

- The benefits to the service e.g. An effective way to reduce capacity; enabling the transfer of skills/knowledge; enabling the retention of a balanced age profile within the workforce; offering the opportunity of better succession planning and mentoring;
- The effect on the ability to meet customer needs e.g. Continuity of service provision; supply of work during the periods the employee wishes to work;
- The ability to reorganise work amongst other employees;
- Resource implications e.g. Any capitalisation costs associated with the early release of the pension (which will need to be borne by the Board; helping to avoid redundancies elsewhere).

Effect on Pension Benefits

Benefits drawn before age 65 under the flexible retirement provision will have the same reductions applied to them as if the employee were retiring in full. Any pension benefits will be reduced where appropriate in accordance with Local Government Pension Scheme (LGPS) regulations and Government Actuaries Department (GAD) Guidance.

Employees who were members of the LGPS on 30th September, 2006, could be protected from the reduction if they are protected members.

Please contact the Gloucestershire County Council Pensions Section for further information;
Email: pensions@gloucestershire.gov.uk

Effect on the Employment Contract

An agreed request for flexible retirement will be treated as a permanent change/variation to the employment contract. The Board will consider all such requests as a one-off step towards full retirement.

As part of the agreement to a flexible retirement package, the employee is required to commit to remaining in employment with the Board for a minimum of 1 year (or to age 60 if earlier).

Minimum Reduction in Hours

Where a reduction in hours is requested, the employee will be expected to take a minimum 20% reduction in their contracted hours. Any subsequent requests to further reduce their hours of employment will be a matter for consideration by the line manager based on the service needs.

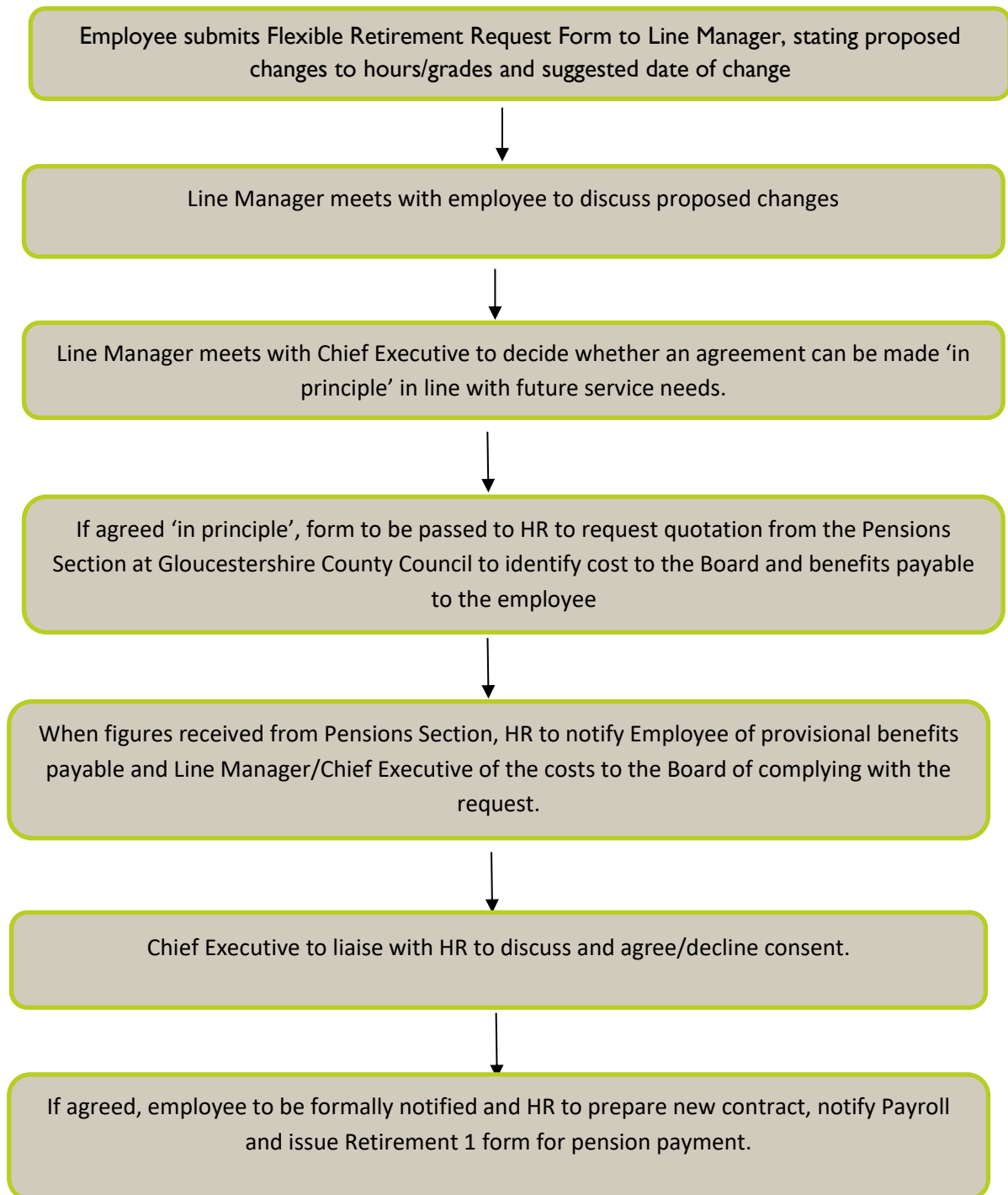
Actuarial Reduction

The Board will not waive any actuarial reduction that would be applied to the early payment of benefits.

Flexible Working Policy

In addition to the Flexible Retirement provisions in this policy, employees who are eligible may make a request to work flexibly at any stage in accordance with the Flexible Working Policy.

Flexible Retirement Procedure



Flexible Retirement Request

I confirm I meet each of the eligibility Criteria as follows:

- I am an employee (as opposed to worker e.g. agency staff, self-employed)
- I have been a member of the LGPS for at least 3 months
- I am at least 55 years old

Personal Details			
Name		Job Title	
Employee Number		Manager	

Describe your current working pattern							
Grade							
Hours per week	/37						
Typical start/finish time daily							
Days worked each week	M	T	W	TH	Fr	S	Su
Homeworking	None		Occasional		Regular		

Describe the working pattern you would like us to consider							
Grade							
Hours per week	/37						
Typical start/finish time daily							
Days worked each week							
Homeworking	None		Occasional		Regular		

Date you would like the new working pattern to start	
------------------------------------------------------	--

Impact of the new working pattern

I think this change in my working pattern will affect my employer and colleagues as follows

Accommodating the new working pattern

I think the effect on my employer and colleagues can be dealt with as follows	
Employee's Signature	Date



Flexible Working Policy

Introduction

We believe that our employees are our most valuable asset. We are committed to attracting and retaining the very best people and utilising all the talent and experience available. We recognise that our employees and potential employees have responsibilities, interests and aspirations outside of the world of work which impact on their time and appreciate that the standard Monday to Friday, 9 to 5 working week is no longer compatible with increasing demand for a better work-life balance.

In addition to promoting work-life balance, flexible working can increase staff motivation and retention; build better relationships between our organisation and our employees; reduce absence; attract new talent and reduce employee stress, leading to improved productivity and effectiveness.

Various flexible working options can be requested by you as an employee as outlined below but we recognise that there may be alternatives or a combination of options, depending on the circumstances.

Flexible working examples include:

- **Flexitime** – employees can vary start and finish time and have some flexibility during the working day for appointments etc. Full details of the scheme can be found in a separate document – see Flexitime Scheme.
- **Time off in lieu (TOIL)** – employees who may be required to work some extra hours on one day can take the equivalent time off on another day.
- **Part-time working** – some job roles are recruited to as part-time while for others, an employee may request a reduction in hours with pro-rata reduction in pay and benefits. An example would be somebody returning from maternity leave who wishes to reduce their hours to spend time with their child.
- **Job-share** – this is a particular form of part-time working where two employees share a full-time job role.
- **Term-time working** – enables employees who are parents to work only in school term-times with the appropriate reduction in pay and benefits.
- **Annualised hours** – employees are contracted annually to work a set number of hours which can be worked flexibly over the 12 month period according to the needs of the business – often used where there are seasonal peaks and troughs in work.
- **Career breaks** – employees are given the option to take an unpaid break or sabbatical usually to pursue professional or personal development with a view to returning to their job role at the end of it.

The law on flexible working and eligibility to make a request

Current law states that employees with 26 weeks' continuous service have a statutory right to request a change to their working pattern. There is a standard procedure for statutory requests and an obligation on employers to consider the request seriously, respond within a certain timescale and give clear business reasons if they refuse the request.

At the Cotswolds Conservation Board we welcome requests from all employees irrespective of length of service. In addition, employees at all levels of the organisation will be considered for flexible working regardless of age; gender; sexual orientation; race, religion or belief; disability; their level of seniority; their current working pattern or whether they are employed on a permanent or fixed-term contract.

There is no automatic right for employees to change to any of the available flexible working patterns. If you make an application, it will be considered on the basis of the particular work involved and the effects of the proposed change on other team members and the ability to deliver the service. However, in the spirit of embracing Smart Working and based on our excellent track record regarding flexible working requests received to date, our aim will always be to find a positive outcome for you as our employee which in turn will benefit us as an organisation. You can only make one request in a 12 month period.

Requesting a change to your working pattern

- First, give some thought as to how your request might impact your colleagues and the ability to deliver the service. Be prepared to suggest solutions which will help your case.
- Have a conversation with your manager about your intentions.
- Put something in writing to your manager formally requesting a change to your working pattern. A form is available for that but you may prefer to write a letter or an email.
- Under the law, your manager has 28 days to respond to your request but will aim to respond within 10 working days to arrange a meeting to discuss your request.
- Within 10 working days of the meeting your manager will meet with you to let you know the outcome.
- You will receive a letter within 5 working days confirming the decision.
- If your request is dependent on changes to colleagues' working patterns being agreed or the recruitment of an additional person, your manager can agree with you a reasonable extension to the timescales.
- If the change is agreed, it represents a permanent change to your terms and conditions and you will receive confirmation from HR.
- If the change is not agreed, the reasons will be given in the letter. You will be given the opportunity to appeal the decision; details of how to do that will also be detailed in the letter.

Refusing a request for flexible working

As referred to earlier in this document, your request must be given serious consideration and should only be refused for clear business reasons, for example'

- planned structural changes
- the burden of additional costs
- a detrimental impact on quality/performance/ability to meet customer demands
- the inability to recruit additional staff
- a detrimental impact on performance
- the inability to reorganise work among existing staff
- a detrimental effect on ability to meet customer demand
- a lack of work during the periods the employee proposes to work.

Other related internal documents:

Flexitime scheme



Flexi-time Scheme

Introduction

We support the principle that our employees should enjoy a work-life balance which recognises the business needs of the organisation, whilst at the same time allowing for a degree of flexibility so that employees can accommodate other commitments. Our flexi-time scheme is designed with those things in mind.

Working within the framework of a 37 hour week (for full-time employees), it enables employees to organise their working hours by mutual agreement with their manager, in such a way as to allow some degree of freedom as to when they will work.

It should be understood that service delivery to customers, both internally and externally, is a priority and must not be compromised in any way by this scheme. All employees are expected to cooperate in ensuring that adequate staffing arrangements are always in place.

A number of guiding principles will apply:

- The scheme applies to all employees subject to the needs of the service. This means that for some areas of the business, it will not be possible to offer flexibility where attendance for the standard working day or part of the working day is essential. However, exceptions should be limited as the intention is to apply the scheme as widely as possible.
- The scheme applies equally to part-time employees. If you are part-time, your manager will need to determine locally exactly how the scheme can be applied depending on your working pattern.
- It is primarily your responsibility to ensure that on average you attend for the number of hours you are contracted to work each week.
- There will be an opportunity for you to work longer hours on some days subject to business need and workload for which you will accrue credit time.
- The scheme operates in accordance with the Working Time Regulations which sets out a maximum weekly working time of 48 hours, normally averaged over 17 weeks including overtime.

Scheme application

The success of the scheme depends on the common sense and goodwill of both employees and managers. As an employee, you should arrange your working time with due regard to your own workload and that of the service and will be expected to avoid large fluctuations in the distribution of your hours of work. It would not be reasonable for you to come and go as you please without regard for your colleagues and the agreement of your manager.

The scheme does not specify core hours when employees must be present but it is essential that satisfactory cover is provided during standard service hours, including lunch breaks. Managers, individuals and teams must work together to plan levels of cover to provide an effective service, whilst also ensuring fair and equitable working arrangements for employees.

From time to time, your manager should review with you and your colleagues how well flexi-time arrangements are operating to adequately meet both the needs of team members and the service.

Scheme operation

The working week – is 37 hours operating within a band width of 6.30 a.m. to 7.30 p.m. (subject to your designated work location being accessible) with a minimum lunch break of 30 minutes, which can be taken at any time.

Accounting period – the scheme is based on a four week period. The total number of contracted full-time hours which must normally be worked in a four week period is 148 (4 x 37), subject to the provisions for carrying over credits or debits and authorised absences. Within the four weeks, it may be possible to vary the working day, in order to work longer or shorter days. You do not need to have accumulated credit hours in order to be able to work a shorter day as long as you have achieved the required hours by the end of the period.

Accrual of credit time - all hours worked within the band times should be recorded as credit hours. Employees should not accrue more than 11 hours credit time during a working week (in accordance with the Working Time Regulations).

Balance at the end of accounting period and carry over of allowance – at the end of a four week period the total hours should be no more than 168 hours and no less than 128 hours. You can carry forward a credit or debit of no more than 20 hours. Any credit hours in excess of 20 will be lost. Surplus credit hours cannot be paid as overtime. (These figures apply to full time employees – will be pro rata for part-time employees). There may sometimes be a need to work some additional hours to complete a specific piece of work for example and a manager will choose to pay overtime. This will be agreed and authorised in advance and will be not fall within the flexitime scheme.

Other authorised absences – for the purposes of crediting annual leave, sickness, training courses etc. one day will be 7 hours 24 minutes and a half day will be 3 hours 42 minutes. If you work part-time, the hours credited will be determined by your work pattern.

Time off for appointments etc – where possible, you should try to make routine appointments in the part of the day that will cause the least disruption to the service. You have the flexibility to attend such appointments and the time should be taken from accrued flexitime.

In line with the sickness absence policy, for other emergency appointments or medical appointments that are outside of your control (consultant, specialist clinic etc.) your manager has the flexibility to agree that you can have reasonable time off with pay and you do not have to make up the time. If agreed, such time would be recorded as special leave. Medical appointments requiring absence for more than a day should be recorded as sickness absence and require a self-certification to be completed. Pay in such circumstances will be in line with the sick pay scheme.

Flexi leave – you may take flexi leave, subject to the needs of the service and prior approval of your manager. Within a four week accounting period, up to a maximum of two days' absence is allowed. You may take the time as complete days or half days or by working a shorter day.

Recording arrangements – You may record your additional hours as you wish. The Board operates this scheme based on trust. Any abuse of the scheme may be regarded as grounds for disciplinary action.

Leaving the organisation – if you resign from the organisation, you will need to take any accrued flexi leave or make up any deficit hours during your notice period.



Grievance Policy

Introduction

We all want to be happy at work and research by the University of Warwick found that happiness led to a 12% spike in productivity while unhappy workers proved 10% less productive. We spend a lot of time working for the Cotswolds Conservation Board and it is inevitable that sometimes things won't work out the way you want them to. If you have a concern then you should speak to your manager who will try to find a solution, unless of course your concern is about your manager then you should speak to your Publica HR Business Partner. Whilst the majority of things can be resolved informally, and we encourage this, there may be a time when you feel it is appropriate to take further action. If this is the case and you feel you have no option but to take things further in a more formal way, this is the process.

When Things Go Wrong

- If you feel you want to raise your concerns formally, you should write down your concerns (email is fine) head it up "Formal Grievance" and send to your manager and Publica HR Business Partner, unless of course your concerns are about your manager then you send it to the Head of Finance or Chief Executive and Publica HR Business Partner.
- Usually there will be a meeting with you to discuss your concerns but, before this, there may have to be a fact finding investigation to look into what you have said. If any information is gathered in the course of this investigation you will be given a copy, in advance of the meeting, for you to consider. In exceptional circumstances, the information given by individuals may have to remain confidential and if this is necessary, an appropriate summary of the information gathered will be given to you.
- A meeting will be held as soon as is possible with your manager (unless your concerns are about your manager in which case Head of Finance or Chief Executive) and at that time you will be asked to explain the nature of your concerns and what action you feel should be taken to resolve the matter. You can be accompanied by a work colleague or Trade Union representative (if you wish) at this meeting.
- Within seven working days following the meeting, you will be informed in writing (by email) of the outcome and told of any action Cotswolds Conservation Board proposes to take as a result of your concerns.
- If you are unhappy with the outcome you may make a formal appeal within five working days of receiving the result. Your appeal should be made in writing (again email is fine) to the person who conducted the grievance meeting and you should clearly state why you think the outcome of your grievance was wrong or why you think the action taken / proposed by Cotswolds Conservation Board is inappropriate.
- An appeal meeting will be arranged to take place (as soon as possible) and you can be accompanied by a work colleague or Trade Union representative (if you wish) at this meeting. The meeting will be conducted by someone different for example the Head of Finance or Chief Executive who will consider the concerns that you have put forward and assess whether or not the outcome reached in the original meeting was appropriate. Following this appeal you

will be informed of the outcome, usually within seven working days, and this outcome will be final.

- If you are going through disciplinary action, any concerns you have should be dealt with under this procedure and if you raise a formal grievance while you are subject to disciplinary proceedings these will usually be heard when the disciplinary process has been completed.
- Sometimes the Cotswolds Conservation Board may feel that it is appropriate for your concerns to be dealt with by way of mediation. If this is the case we may involve a third-party mediator who will discuss the issues raised by you with all of those involved to try and find a resolution.
- In the event that a formal Grievance has been raised by or concerns the Head of Finance or Chief Executive the process would be elevated to involve the Chairman and Vice Chairman.



Managing Performance

Introduction

Cotswolds Conservation Board understands that everyone is different and each individual has something unique to bring to the world of work. Whilst we have high expectations when it comes to your performance, we also understand that, sometimes, it takes some additional support to meet what is required.

We expect people to be honest, admit when they make a mistake or do not understand something, put it right, and importantly, learn from experiences and move on quickly. When it comes to your personal performance, a continual dialogue with your manager should mean that you know what is expected from you and how you are performing; if you are unsure ask! If things are not quite on track then your manager may speak to you informally to see what we can do to support you to meet the Organisation's expectations. If, following feedback and support, your performance is still not as it should be then things may need to become more formal.

Your performance

- All cases will be dealt with in a non-discriminatory and consistent way and we will always offer support when required e.g. occupational health.
- If informal discussions and support have not helped to improve your performance, we will need to take a more formal approach. Remember you can be accompanied by a work colleague or Trade Union representative at formal meetings and any subsequent appeal.
- It is important to recognise this procedure is not meant to be a long drawn out process. Whilst reasonable time will be given to improve, this may be a number of weeks and not months.
- The process followed during the first six months of your employment will be as per the Cotswolds Conservation Board's Probationary terms and not as set out in this document.
- The Publica HR Team will be available to provide advice and guidance to the manager, support in investigations and meetings as well as template letters for all stages.
- **Formal Stage 1** - You will be given five working days' notice to attend a formal meeting at which your manager will:
 - Make clear the areas in which your performance is below expectations, giving examples, with the aim of identifying reasons for the under-performance which could be resolved with further support.
 - Give you the opportunity to explain your performance and raise any concerns you have about your role or the support you require.
 - Confirm that you understand the level of performance that the organisation require in your role.
 - Agree a timescale for improvement.
 - Advise you that details of your formal discussion, together with a plan to improve your performance and check points if required, will be sent to you by email.

- Advise you that, if you improve your performance, it will continue to be monitored for 12 months.
- **Formal Stage 2** - If your performance does not improve (or where a first instance of unsatisfactory performance is sufficiently serious to warrant escalation) you will again be given five working days' notice to attend a formal meeting at which your manager will:
 - Give you further evidence and examples of areas where performance is still below requirements.
 - Give you the opportunity to explain your performance.
 - Discuss what has changed, if anything, since the first meeting and the support given.
 - If, having heard from you, your manager remains concerned, you may be given a Formal Warning for unsatisfactory performance that will remain on your file for 12 months.
 - Give consideration to any additional training or support that could reasonably be given to you to enable you to reach the required standard of performance.
 - Agree a further timescale for improvement and review.
 - Advise you that the details of the meeting and outcome will be confirmed to you by email.
 - At the end of the review period, if there has been sufficient sustained improvement in your performance, no further action will be required and the warning will be removed.
- **Final Stage** - If we still have concerns about your performance following stage 2, a final formal meeting will be held with you at which your manager will:
 - Review your case and the steps that have been taken to support you.
 - Hear your explanation for your performance.
 - If, after your explanation, your manager remains concerned a decision will be taken to either dismiss on the grounds of capability or to extend the final stage due to extenuating circumstances.
 - The option of allowing further time for improvement may only be considered if there is evidence to persuade the manager that further time is likely to lead to the required sustained improvement in performance.
 - The details of the meeting and outcome will be confirmed to you in writing within five working days of the meeting taking place.
- **Appeal** - You have the right to appeal against any formal action taken against you within five working days of the date of written confirmation of the action taken.
 - Your appeal should be made in writing (again email is fine) to the Publica HR Team and you should clearly state the grounds for your appeal.
 - Your appeal letter and case details will be reviewed by a senior manager not previously involved in the case.
 - Where an appeal is upheld, reference to the caution or dismissal will be disregarded. Alternatively, the outcome of the appeal hearing may be to impose a lesser penalty or, if new evidence comes to light, the outcome could result in a higher sanction being imposed up to and including dismissal.
 - The outcome of your appeal will be confirmed to you in writing within five working days of the review taking place.
 - If you are successful in appealing against dismissal on the grounds of capability, you will be paid in line with your contract of employment in respect of the period from dismissal to reinstatement, as if the dismissal had never taken place.
 - The decision reached at any appeal will be final.



Maternity Scheme

Introduction

Here at the Cotswolds Conservation Board, we understand that many of our employees will have family commitments and we want to help you to balance your home and work responsibilities. We recognise that being a family-friendly, flexible employer will help to attract, recruit and retain employees and can increase job satisfaction and productivity.

We offer a range of options such as the right to request flexible working; a generous and accommodating flexitime scheme; as well as schemes for Shared Parental Leave; Paternity Leave; Maternity Support Leave and an enhanced Maternity scheme.

This document sets out the arrangements that we have in place for all pregnant employees.

Maternity Scheme

Who should you notify that you are pregnant?

Once you are ready to announce your pregnancy you should inform your line manager and contact HR who will arrange for a member of the HR team to meet with you to explain your entitlements and answer any questions. All information and any discussions will be treated in the strictest confidence.

Later on, once you know when you would like to begin your maternity leave, you should complete a Notification of Pregnancy and Maternity Leave form. The original should be given to HR and a copy to your line manager. You can complete the form as early as you like but it must be at least 28 days before you intend to start your maternity leave. You can change your mind about the start date but should, if reasonably practicable, give 28 days' notice of any change.

You must also provide a MATB1 certificate which will be given to you by your midwife or doctor although it cannot be issued earlier than 20 weeks before your baby is due

You will receive an acknowledgement letter from HR within 28 days confirming your entitlements to maternity leave and pay and advising you about your expected return to work date. You will also receive a communication from the Payroll team giving you a forecast of the maternity payments that you will receive.

Your health and safety

HR will ensure that your line manager carries out a formal risk assessment with you, which will give you the opportunity to raise any concerns you have about potential risks posed whilst carrying out your normal duties. Where necessary, changes can be made to areas of work or work practices to minimise those risks.

Can you have time off for ante-natal care?

Yes, you are entitled to paid time off for ante-natal care which includes appointments with doctors, midwives and hospitals. You should give your line manager as much notice as possible of the appointment and, if asked, show them your appointment card.

How much maternity leave are you entitled to?

All pregnant employees, regardless of their length of service, can have 26 weeks' Ordinary Maternity Leave (**OML**) plus 26 weeks' Additional Maternity Leave (**AML**) providing a right to one year's maternity leave in total.

The final 13 weeks of AML is unpaid.

We will assume, when replying to your notification letter that you will take your full entitlement.

When can you start your maternity leave?

You can choose to start your maternity leave any time from the beginning of the 11th week before your expected week of childbirth (EWC).

If you give birth before you have started your maternity leave, the leave will automatically start on the day following the birth. If you find yourself in this situation, you should notify your line manager and HR as soon as reasonably practicable of the date your baby was born.

Pregnancy-related illness

From the beginning of the 4th week before the EWC, your maternity leave will start automatically if you are absent due to pregnancy-related illness.

Compulsory Maternity Leave

You have to take a minimum of 2 complete weeks' maternity leave following the birth of your baby. It is recommended that you take more than this to allow yourself enough time for recovery.

Stillbirth

If your baby is born alive but subsequently dies, you are entitled to your remaining leave and entitlement. If you give birth to a stillborn child after 24 weeks of pregnancy, you also still qualify for maternity leave and pay.

How much maternity pay will you receive?

This will depend on how long you have worked here and how much you earn. Your individual entitlements will be confirmed to you in writing by HR as part of the maternity process but here is a guide:

Statutory Maternity Pay (SMP)

To qualify for SMP you must:

- Have been continuously employed by this organisation for at least 26 weeks by the end of the 15th week before the expected week of childbirth (EWC). This 15th week is known as the qualifying week
- Have average weekly earnings, for the 8 week period prior to the end of the qualifying week, of not less than the [lower earnings limit](#) set by the Inland Revenue for the payment of National Insurance
- Still be pregnant at or have given birth before the 11th week before the EWC
- Have stopped working
- Have given 28 days' notice of when you want your pay to start.

At what rate is SMP paid and for how long?

SMP is paid for a total of 39 weeks (known as the Maternity Pay Period – MPP) at the following rate:

- For the first 6 weeks, you will receive 90% of pay (based on what you have earned during the 8 week calculation period referred to above)
- For the remaining 33 weeks, you will receive the [lower rate SMP](#) or 90% of average weekly earnings whichever is lower.

What is Maternity Allowance?

If you do not qualify for SMP you may be eligible for [Maternity Allowance](#), which is paid by the Department for Work and Pensions. You should apply through Jobcentre Plus.

To qualify for Maternity Allowance you must:

- Have been employed and/or self-employed for at least 26 weeks in the 66 weeks up to and including the week before your baby is due. This 66 week period is known as the test period. Part weeks are counted as full weeks; and
- Have earned on average at least £30 or more a week, in any 13 weeks in the test period.

Occupational Maternity Pay (OMP)

You may be entitled to receive Occupational Maternity Pay (OMP)

To qualify for OMP you must:

- Have at least one year's continuous service at the beginning of the 11th week before the EWC.
- Declare that you intend to return to work at the end of your maternity leave.

At what rate is OMP paid and for how long?

- For the first 6 weeks, you will receive 9/10 of a week's pay (this will be offset against any entitlement to SMP or Maternity Allowance receivable during those 6 weeks)
- For the following 12 weeks you will receive half pay plus SMP (if you qualify). The sum of the half pay plus the SMP must not exceed your normal full pay. If it does, your pay will be adjusted accordingly

- The 12 weeks' half pay is paid on the understanding that you return to work for a period of at least 3 months. If you do not return for a 3 month period, you will have to pay the money back
- If you are unsure about returning, you can opt not to receive the half pay whilst you are on maternity leave. If you do subsequently return (providing it is for a least 3 months), the half pay can be paid as a lump sum
- You can choose to have the half pay spread evenly over the 33 remaining weeks of paid Maternity Leave rather than paid over 12 weeks

Both SMP and OMP are subject to the usual deductions for Income Tax, National Insurance and, where applicable, Superannuation.

Payment of Maternity Pay (SMP and OMP)

Maternity Pay will be paid in the usual way on your normal pay day. The Publica Payroll team will send you a forecast detailing the amounts that you will be paid if you wish.

What happens to your annual leave?

Annual leave continues to accrue whilst you are on maternity leave. If your maternity leave is likely to cross over into the next leave year, you should try to use up your annual leave prior to going off on maternity leave. If you do not take all your annual leave, the statutory minimum number of days may be carried over into the next year.

If you are not crossing over two leave years, you can add leave to the beginning or end of maternity leave. If you take all your annual leave at the beginning, before it has actually accrued, and subsequently resign from your post, you may have to pay back some of the leave.

Bank holidays

You are entitled to a credit for each Bank Holiday that occurs during the whole period of maternity leave. They can be added to your leave entitlement when you return and are in addition to your annual leave entitlement.

What happens to your pension?

If you are a member of the Local Government Pension Scheme, you will continue to pay contributions whilst you are receiving pay.

During the final 13 weeks of AML, when you are not receiving pay, you will not pay any contributions. However, you can choose, on your return, to pay the missed contributions. If you would like to do this, you should indicate that on the notification form.

What about keeping in touch when you are on maternity leave?

You should inform your line manager and HR of the date that the baby is born. This is particularly important if the baby is born early as it may affect the start date of your maternity leave.

You may keep in touch informally with colleagues during your time off but you should stay in touch with your line manager and make them aware, as soon as you are in position to do so, of your intentions regarding your return to work.

Your line manager should keep you informed of any important developments and changes within your division and the organisation whilst you are off. They will agree with you the best way of maintaining contact before you start your maternity leave. You should also be given the opportunity to attend team meetings, training courses and conferences although it is entirely voluntary as to whether you attend or not.

Your manager will maintain contact by sending you details by email of internal job vacancies (you can opt not to receive them).

HR will also write to you towards the end of your period of paid maternity leave to remind you about the process for your return to work.

Working during maternity leave

The maternity regulations allow for an employee to do 10 days' work during maternity leave without it bringing the maternity leave to an end. You can also be paid for 10 days' work without it affecting your SMP.

This provision is designed to facilitate the employee not the employer so your manager cannot insist that you attend any meeting or training course or carry out a piece of work and you must not suffer a detriment for refusing to do so. Equally, you cannot insist on being given work to do.

Returning to Work

Can you return to work early?

Yes, but if you are going to return before the end of your maternity leave, you must notify your line manager and HR in writing by giving 21 days' notice.

The organisation can postpone your return if you do not give the right amount of notice.

If you do not intend to return early what do you need to do?

If you return to work at the end of your maternity leave, you are not obliged to do anything, you could simply return on the day you are due back. From an administrative point of view, however, we ask that you let your line manager and HR know in advance that you are returning on the due date. Your line manager should have been keeping in contact with you during your maternity leave anyway so they should be aware of your intentions. It is essential that HR receive written advice that you have definitely returned or you will not get paid as it is not an automatic process on the payroll.

What happens if you are sick when you are due to come back?

If you are unable to come back at the end of your maternity leave due to sickness, the normal sickness reporting procedure and provisions will apply from the date that you were due to return.

Are you entitled to return to the same job on the same terms and conditions?

If you are returning at the end of the first 26 weeks, you have a right, irrespective of the hours worked or length of service, to return to the job in which you were employed under your original contract of employment and on terms and conditions no less favourable than those which would have applied had you not been absent. 'Job', for this purpose means the nature of work you are employed to do and the capacity and place in which you are so employed. If you are taking more than 26 weeks, you are entitled to return to the same job, on the same terms and conditions unless it is not reasonably

practicable to do so. If that is the case, you must be offered alternative employment that is no less favourable.

If it is not practicable, due to redundancy or organisational re-structure, to return to your old job, you are entitled to be offered suitable alternative employment on no less favourable terms and conditions. In the case of redundancy or re-structure you would be consulted throughout the process whilst on maternity leave.

What do you need to do if you decide not to come back to work?

You need to inform your line manager in writing, giving the required amount of notice as detailed in your contract of employment. There are a couple of things to note:

- If you have been paid Occupational Maternity Pay (OMP), you will have to pay it back
- Depending on the timing of your maternity leave, you may have used up more of your annual leave entitlement than has been accrued at the time of resignation so you may have to pay that back
- If you have been paid SMP, that does not have to be re-paid.

Can you apply to work flexibly on your return?

Yes, you have the right to request a change to your working arrangements (hours, times and place of work) to enable you to balance your childcare responsibilities with your work commitments.

The organisation, in return, has a duty to consider your request seriously and can only refuse if there is a clear business reason. If a change is agreed, it will be permanent and there will be no right to revert back to the former arrangement, although both parties can agree to a trial period first.

Any request for flexible working should be put in writing to your line manager at the earliest opportunity. Please allow them sufficient time to consider the implications of your request and implement any associated changes within your team. If you are asking for a reduction in your hours for example, which may mean finding someone else to take on the rest of your work; ideally you should be giving at least three months' notice. You will find the Flexible Working policy and a form to complete if you wish to make a request in the Employee Policy Handbook.

Childcare voucher schemes

Changes came into effect in October 2018 which ended childcare voucher schemes which offered savings on tax and NI. These changes only prevent people from joining such schemes. Employees who are already in a scheme can remain in it.

To see if you could get any other help with childcare costs, [visit the GOVUK](#) website.

Maternity Support Leave – what is this?

This is a benefit that applies to employees of the organisation who will be providing support to a pregnant woman around the time that they are giving birth (see below for details).

Such employees are defined as being expectant fathers; partners or nominated carers. If this applies to you, you will be able to take five days' maternity support leave, paid at normal pay.

This can be combined with Paternity Leave. Therefore, if you are an expectant father and an employee of the Cotswold Conservation Board, you can take one week of maternity support leave at full pay and a further week of paternity leave, paid at the [statutory paternity pay rate](#).

Generally speaking, maternity support leave is likely to be taken by expectant fathers or partners but it is also available to nominated carers. A nominated carer is defined as a person nominated by the mother as the primary provider of support at or around the time of the birth. Such a role might be filled by a relative or someone who has a caring relationship with the mother and/or child. If you are an employee who is fulfilling such a role, you may be asked to supply a copy of the mother's MAT B1 (maternity certificate). This entitlement is for first and subsequent births.

Contact us

This guidance is not intended to be an exhaustive list of everything that can crop up in relation to pregnancy and maternity leave but it should provide you with the basic information that applies in the majority of cases.

If you have any questions that are not answered here, please send an email to hr@publicagroup.co.uk or speak to your HR Business Partner.



Paternity Scheme

Introduction

Here at the Cotswolds Conservation Board, we understand that many of our employees will have family commitments and we want to help you to balance your home and work responsibilities. We recognise that being a family-friendly, flexible employer will help to attract, recruit and retain employees and can increase job satisfaction and productivity.

We offer a range of options such as the right to request flexible working; a generous and accommodating flexitime scheme; as well as schemes for Shared Parental Leave; Paternity Leave; Maternity Support Leave and an enhanced Maternity scheme.

This document sets out the arrangements that we have in place for all expectant fathers.

Paternity Scheme

What is paternity leave and who is entitled to it?

Paternity leave can be taken to support the mother of a baby or to look after the baby in the first few weeks following the birth.

To qualify, you need 26 weeks' service with the organisation by the end of the 15th week before the expected week of childbirth (EWC) or the week in which the child's adopter is notified of being matched with a child.

You must:

- be either the father of the child or married to or the partner of the child's mother or adopter (includes same sex partners)
- have or expect to have responsibility for the upbringing of the child. Where you are the mother's husband or partner, but not the father, have the main responsibility (other than that of the mother) for the upbringing of the child.

If you satisfy the qualifying criteria, you are entitled to take either one or two consecutive weeks' paternity leave to be taken within 56 days after the child is born.

You can choose to begin your leave on either:

- the date the child is born
- a certain number of days after the child is born or
- a specific date which is later than the first day of the EWC and within 56 days of the birth of the child.

Paternity leave can start on any day of the week.

Notification of paternity leave

If you intend to take paternity leave, you should advise HR and your line manager by the end of the 15th week before the EWC of the following:

- the expected week of childbirth (EWC)
- whether you intend to take one week's leave or two
- the date you want your paternity leave to begin.

If it is not reasonably practicable to give notice by the end of the 15th week before the EWC, notice must be provided as soon as is reasonably practicable.

You should complete form [SC3](#) which can be downloaded from the GOVUK website. It should be given to the HR/Payroll team.

The leave will start on the date that you specify on the form unless:

- the child is not born by that date. In this case, you must choose another, later, specific date or start the leave on the date the child is born or a certain number of days after the child is born and inform HR and your manager as soon as is reasonably practicable
- you have chosen to start your leave on the date the child is born and you are at work on this date. In this case, your paternity leave will start on the following day. The day the child is born could be treated as special leave, subject to agreement with your line manager.
- If the child is born prematurely, i.e. before the EWC, the leave must be taken within 56 days of the EWC.
- If the child is stillborn after 24 weeks of pregnancy or dies, you will still qualify for paternity leave.

In the case of adoption, you will need to give notice stating the date on which the child is expected to be placed or, if the placement has already happened, the date that it occurred. The notice should be given no later than seven days after the date on which the adopter is notified of having been matched with the child, or as soon as is reasonably practicable.

There is a form [SC4](#) for adoption cases which can be downloaded from the GOVUK website. It should be given to the HR/Payroll team.

After the birth

You must inform your line manager and HR of the date the child is born, as soon as is reasonably practicable after the child's birth.

Statutory Paternity Pay

If you are eligible for paternity leave, you will be paid statutory paternity pay (SPP). That is two weeks at the current [statutory amount](#) per week or 90% of average weekly earnings, whichever is the lesser.

In order to qualify for SPP, you must have average weekly earnings in the eight weeks up to the end of the qualifying week of not less than the [lower earnings limit](#) set by the Inland Revenue.

Maternity Support Leave – what is this?

This is a benefit that applies to employees of the organisation who will be providing support to a pregnant woman around the time that they are giving birth (see below for details).

Such employees are defined as being expectant fathers; partners or nominated carers. As an expectant father, you will be able to take five days' maternity support leave, paid at normal pay.

This must be combined with Paternity Leave. Therefore, you can take one week of Maternity Support Leave at full pay and one further week of Paternity Leave (if you qualify), paid at the [statutory paternity pay rate](#). There is no required qualifying period for Maternity Support Leave.

Continuous service

Paternity leave counts as continuous service. Your terms and conditions on your return must be no less favourable than they would have been if you had not been absent.

Pension

During any period of paid Maternity Support Leave or Paternity Leave, you will continue to pay pension contributions on the pay you actually receive.

Shared Parental Leave

Shared Parental Leave is designed to give parents more flexibility in considering how to best care for their child in the first year following birth or adoption.

All eligible employees have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay.

This is a separate right to unpaid parental leave and does not replace the current maternity and adoption leave and pay regimes.

More information about shared parental leave can be found in the Employee Policy Handbook.

Contact us

If you have any questions about paternity leave or pay that are not answered here, please send an email to hr@publicagroup.co.uk or speak to your line Manager or Publica HR Business Partner.



Shared Parental Leave Guidance

Introduction

Here at the Cotswolds Conservation Board, we understand that many of our employees will have family commitments and we want to help you to balance your home and work responsibilities. We recognise that being a family-friendly, flexible employer will help to attract, recruit and retain employees and can increase job satisfaction and productivity.

We offer a range of options such as the right to request flexible working; a generous and accommodating flexitime scheme; choices about where you work from (subject to business needs), as well as schemes for Shared Parental Leave; Paternity Leave; Maternity Support Leave and an enhanced Maternity scheme.

This document sets out the arrangements that we have in place for employees who are expecting or adopting a child and may wish to share the leave to care for the child in the first year.

Shared Parental Leave

All eligible employees have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay. This guidance follows statutory regulations.

This is a separate right to unpaid parental leave and does not replace the current maternity and adoption leave and pay regimes.

Eligibility for Shared Parental Leave (SPL)

If a mother/primary adopter decides not to take all of their maternity/adoption leave entitlement, they can opt-in to SPL with the other parent (father, spouse, partner or co-adopter); it can only be shared with one person.

For a parent to be able to take SPL, they must satisfy the eligibility criteria set out below. The right of one parent to take leave is not only dependent on them satisfying their own eligibility criteria, but also the other parent satisfying certain conditions. However, sometimes only one parent in a couple is eligible to get shared parental leave, but the parent who qualifies is still able to take SPL if they wish to.

SPL Eligibility criteria:

- At the time of the child's birth/placement for adoption, you share the main responsibility for the care of the child with the other parent.

- You have at least 26 weeks' continuous service by the end of the 15th week before the expected week of confinement or by the end of the week that you are notified that you have been matched with a child for adoption purposes (the relevant week).
- You will remain in continuous employment up to the week before any SPL is taken.
- You or the other parent is/was entitled to statutory maternity/adoption leave and you/they have ended their entitlement to statutory maternity/adoption leave by curtailing their leave or returning to work.

In addition, the other parent must:

- Have been employed or a self-employed earner in at least 26 of the 66 weeks immediately preceding the relevant week.
- Have average weekly earnings of at least the [maternity allowance threshold](#) (£30 as at October 2019) for any 13 of those 66 weeks.

Amount of leave

Eligible employees may be entitled to take up to 50 weeks' SPL during the child's first year in their family, providing the mother/primary adopter reduces their entitlement to maternity/adoption leave.

The number of weeks available is calculated using the mother/primary adopter's entitlement to maternity/adoption leave: 52 weeks' entitlement minus the number of weeks taken as maternity/adoption leave. The remainder can be taken as SPL.

Following a birth/adoption, a mother/primary adopter must take a minimum of two weeks' compulsory maternity/adoption leave; which is why only 50 weeks are available to share.

SPL must be taken between the child's birth and first birthday or within a year of the placement for adoption (up to the day before the first anniversary of the placement), but cannot begin earlier than two weeks following the birth/placement, subject to the following requirements:

- Leave must be taken in complete weeks with the minimum period of one week
- The leave can commence on any day of the week.
- The leave may be taken as one continuous period or several discontinuous periods.

Both parents can be on leave at the same time e.g. the mother/primary carer could be on maternity/adoption leave and, if they have curtailed their maternity/adoption leave from a future date, the other parent could be taking SPL.

Starting Shared Parental Leave (SPL)

SPL can only start once the child has been born or placed for adoption and the mother/primary adopter must have done one of the following:

- Ended their maternity/adoption leave by returning to work.
- Provided a 'binding notice' of the date when they will end their maternity/adoption leave and commence SPL.
- Ended maternity/adoption pay or maternity allowance.

The mother/primary adopter can take SPL after taking the required first two weeks of maternity/adoption leave.

The other parent can take SPL immediately following the birth/placement of the child or after paternity leave entitlement has been taken.

The other parent can commence SPL whilst the mother/primary adopter is still on maternity/adoption leave, providing the mother/primary adopter has given a binding notice to end their leave or pay.

Parents can opt-in to SPL at any time, as long as there is some untaken maternity/adoption leave to share.

Notification

You should inform your line manager that you intend to take SPL at the earliest possible date.

Various different notices need to be given by both parents no later than eight weeks before the first period of SPL that you intend to take:

- Maternity/Adoption Leave Curtailment Notice from the mother/primary adopter.
- Notice of Entitlement and Intention to take SPL from the employee.
- Period of Leave Notice from the employee.

If a child is born more than eight weeks early, these notice periods can be shortened.

You should contact the HR Team to obtain a copy of the forms that need to be completed.

Agreeing Shared Parental Leave (SPL)

Continuous periods of Shared Parental Leave

If you request one continuous period of SPL, it will automatically be authorised; the organisation cannot refuse this request, provided the eligibility criteria has been met and it does not exceed the total number of weeks of SPL available to you.

Continuous periods of SPL will be confirmed in writing by your line manager, within 14 days of the request being made.

Discontinuous periods of Shared Parental Leave

If you request two or more periods of SPL separated by periods of work, your line manager will need to consider the leave request.

Your manager will write to you, within two weeks of the date the leave notification was made to:

- Agree the periods of leave requested;
- Propose alternative dates or
- Refuse the leave and
- Inform you in writing.

If you and your manager agree the leave dates within the two-week period, you are then entitled to take the leave on the agreed dates.

If agreement cannot be reached within this two-week period, you can either withdraw your request or take the total amount of leave requested as one continuous period of leave.

A single notification can contain a request for two or more discontinuous periods of leave.

Shared Parental Pay (ShPP) Eligibility

Statutory shared parental pay (ShPP) is available for eligible parents to share between them whilst on shared parental leave.

For employees to be eligible, both parents must meet the following eligibility requirements:

- You must both meet the criteria for SPL as listed above in section 1; and
- You will be absent from work caring for the child during each week in which you receive statutory shared parental pay; and
- You or the other parent was/is entitled to statutory maternity pay/maternity allowance in respect of the child, but the maternity pay period has been reduced.

Amount of ShPP

Where eligible, up to 37 weeks of ShPP will be available to be shared between the mother/primary adopter and the other parent. The amount of weeks available will depend on the amount by which the mother/primary adopter reduces their maternity/adoption pay period.

ShPP is paid at the lower of the [statutory prescribed rate](#) (as per statutory maternity and paternity pay) or 90% of the relevant party's normal weekly earnings (subject to the lower earnings limit).

Variations

Once periods of SPL and ShPP have been agreed, if you want to make an amendment, you must do so in writing to your line manager, giving notice of at least eight weeks before the date to be varied.

Only three periods of leave notice and/or variation requests can be made in total.

You can withdraw your notification on or before the 15th day after the notification was originally made if a discontinuous leave notification is refused or no response is received, and it will not count as one of your three notifications.

Variations will be confirmed in writing by your line manager.

Shared Parental Leave in Touch Days (SPLIT)

During SPL, you and your manager are encouraged to stay in contact. Your manager may make reasonable contact with you at home during this time to discuss such issues as return to work, workplace developments, training opportunities, etc. You may also wish to keep in contact with your manager whilst you are on leave.

In addition, each employee taking SPL will be entitled to work up to 20 paid SPLIT days without bringing SPL to an end, if they wish, at a time agreed with their line manager. This may be to attend a particular training course, meeting, etc.

SPLIT days are optional; both you and your manager must agree to them in advance.

An employee working a SPLIT day will receive full pay for any hours worked. If a SPLIT day occurs during a week when you are receiving ShPP, you will still receive the ShPP as well.

Any work/attendance carried out on a day or part of a day will count as one SPLIT day for these purposes. These days are in addition to keeping in touch days (KIT) days already available for maternity /adoption leave.

Protection whilst on Shared Parental Leave (SPL)

Employees who take SPL are entitled to the benefit of all terms and conditions of employment, except remuneration, which would have applied had they not been absent.

You are entitled to return to the same job if you have taken leave of 26 weeks or less, regardless of how many periods of leave you have taken.

If you take more than 26 weeks' leave, you have the right to return to either the same job or a similar job if it is not reasonably practicable to return to the same position.

Employees are also protected against dismissal or detriment for taking or proposing to take SPL.

Annual Leave

You will continue to accrue annual leave during SPL. Your line manager will discuss with you appropriate arrangements for taking holiday entitlement before SPL starts.

Returning to work

An SPL end date will be agreed between you and your line manager prior to SPL commencing.

If you are unable to return to work on that date due to sickness, normal sickness reporting processes apply.

If you wish to return early from SPL, you must provide written notice to your line manager in order to vary the leave, at least eight weeks before the proposed date of return. This will count as one of the three notifications. If you have already used your notifications, your manager does not have to accept the notice to return early but may do so if it is considered reasonable practicable.

If you have any questions that are not answered here, please send an email to hr@publicagroup.co.uk or speak to your HR Business Partner.



Probationary Policy

Introduction

At the Cotswolds Conservation Board, we aim to create a positive working environment where everyone can fulfil their potential and perform to the best of their ability to deliver excellent service. As a new employee, we want you to thrive in your new role and we will provide you with the support and training you need to get you up to speed in your role as quickly as possible. When you start, your manager and the team will provide you with support and induction into the organisation.

We have a probationary period of six months during which, you and your manager will have regular meetings to review how you are progressing so you will know that you are on the right track. If you are not sure about how to do something or think you need a bit more training or support you can ask your manager at any time. After successful completion of your probationary period, your employment in your role will be confirmed.

Extending your probationary period

On some occasions, if the required standard has not been reached at the end of six months but we believe that it will be within a short period of time, we may extend the probationary period. It can only be extended once and the total length of the probationary period will be no longer than nine months.

If the required standard is not reached and we do not believe that it can be reached within a reasonable amount of time, we may terminate your employment. An appropriate process will be followed if that is the case, with an opportunity to appeal.

Who is covered by this probationary period policy?

- All new employees to the Cotswolds Conservation Board

Terms of your employment during your probationary period

During the probationary period, you will be subject to all the terms and conditions of your contract of employment with the exception of notice periods – see below.

Notice periods - new employees

During the probationary period you can resign from your employment giving one week's notice. If we decide to terminate your employment during the probationary period or at the end of it (following the regular review meetings), your employment will end immediately and you will receive one week's pay in lieu of notice plus any holiday pay that is due.

Existing employees – moving to a new role

Probation periods do not apply to existing employees who voluntarily change job roles. However, your manager will provide you with the same support and training as they would for a new employee and will hold regular review meetings to monitor your progress. If, after a time, your manager does not think you are suitable for the role, the Managing Performance (capability) procedure will apply (see Employee Policy Handbook for details).

If you change job role due to a re-structure or other organisational changes, probation periods do not apply. A different process will be followed which will be managed by your manager in conjunction with the Publica HR team.

Key points regarding the procedure

- **Irregularities following recruitment** - if during the first six months it becomes evident that you do not have the qualifications, knowledge or experience that you claimed to have, your continued employment may be at risk. If you are found to have misrepresented your abilities or to have deliberately withheld information relevant to your appointment, your employment may be terminated immediately with one week's pay in lieu of notice.
- **It is your manager's responsibility** to monitor your performance and progress in the first six months or the full duration of your probation period if longer. They should inform you at the start of your employment about what is expected in terms of standards of performance and job outputs.
- **As part of this monitoring**, they should meet with you at least once a month, to review how things are going; a record should be kept of those meetings. They should give you feedback and address any problems or concerns as they crop up, giving you additional training and support.
- **Just before the end of the probationary period** your manager will arrange a final review meeting. There should be no surprises at that meeting if there have been regular reviews up to that point. You will have the opportunity to review your own performance and highlight what you have achieved to date.
- **If you have successfully completed your probationary period**, your manager will notify the Publica HR team who will write to you to confirm your employment in the role.
- **If it is necessary to extend your probationary period**, your manager will agree this in conjunction with the Publica HR Business Partner (HRBP) and explain the reasons to you. Your manager will confirm the terms of the extension in writing to you, which will include when the extension will end; the reasons for the extension; what you are required to achieve by the end of that time; what further training and support will be given to you and finally, a statement that your employment will be terminated at the end of the extended period if you don't meet the required standards.
- **If your performance whilst on probation** has been unsatisfactory despite relevant support, and it is thought unlikely that further training and support would lead to a satisfactory level of improvement, your employment will be terminated at the end of the probationary period. A process will be followed and you will have the opportunity to appeal the decision to dismiss (see paragraphs below). You will receive one week's pay in lieu of notice plus any holiday pay due.

- **Our policy is that we want our employees to complete the whole period of probation** successfully, rather than terminating employment earlier than the end of the six months. However, if there is clear evidence prior to the end of the probationary period that you are wholly unsuitable for the role then your employment may be terminated early. If that is the case, your line manager will invite you to attend a meeting. You will have the option to be accompanied by a work colleague or Trade Union representative.
- **Appeal - after the meeting**, you will receive a letter confirming the termination and the reasons for it. The letter will inform you that you can appeal the decision and give details of how to do that.
- **If employment is terminated** after the expiry of the probationary period, the Managing Performance (Capability) policy & procedure will apply.



Redundancy Policy

Introduction

We value our employees and are committed to providing long-term job security and managing the business in the best way possible to safeguard your employment.

There may be occasions when financial pressures, changes in our working practices, advances in technology or external factors, have an impact on our workforce. Where this is the case, we will explore alternative measures such as (placing restrictions on recruitment, reducing overtime, redeployment and the non-renewal of fixed-term contracts) to avoid a redundancy situation. Where appropriate, we will initially seek volunteers for redundancy. However, despite our best efforts, certain business situations may arise where redundancies are unavoidable.

This policy sets out our approach to dealing with potential redundancies. It does not form part of your terms and conditions of employment and may be subject to change at the discretion of management. The policy will be applied fairly and equally to all employees, and without any form of discrimination.

We understand that redundancy situations can be extremely difficult for those affected. This policy aims to set out clearly the process involved and signpost the help and support available.

Measures to avoid or minimise redundancy

The Board will do all it can through planning and good management practice to avoid situations where reductions in employees are required. Future employee requirements must be considered in service planning. When redundancies do occur, it will address such issues in a sympathetic, fair, and consistent fashion, and at the same time be accountable for the business reasons which have generated the need for employee reductions.

The Board will seek to avoid redundancies by:

- restricting recruitment in affected areas
- reducing the number of temporary employees
- filling vacancies from among existing employees
- reducing overtime
- reducing hours of work
- redeploying affected staff

Consultation

We recognise the importance of consultation. A 30-day consultation period is recommended where a restructure/redundancy involves less than 20 employees. We will ensure that we consult with all employees who are potentially affected by the redundancy situation and not just those who are at direct risk of redundancy. Where it is not possible to hold a face-to-face meeting, we will conduct the consultation process remotely. We will ensure that you have access to the necessary technology for

participating in the process. Employees are entitled to be represented by a work colleague or a Trade Union representative.

Voluntary redundancy

To reduce the need for compulsory redundancies, we may seek volunteers for redundancy from the established pool. Each volunteer will be given details of their redundancy entitlements and pension rights where applicable before finally committing themselves to redundancy.

The acceptance or otherwise of any application for voluntary redundancy is at the discretion of the Board in order to maintain a viable employee establishment.

Redundancy Selection

Where there are more volunteers than are required, or there are insufficient volunteers, this will necessitate the identification of selection criteria. When determining the appropriate criteria consideration should be given to the circumstances relating to the selection pool. In all cases they must be non-discriminatory. Criteria could include:

- Skills
- Competencies
- Qualifications
- Performance
- Work experience
- Attendance history
- Disciplinary record

The selection criteria used will be at our discretion, subject to factors such as business needs at the time and the roles under consideration.

We will inform you in writing by letter/email if you are provisionally selected for redundancy and invite you to attend a meeting where you will be entitled to be accompanied by a work colleague or Trade Union representative.

Alternative work

Under the Employment Rights Act (1996) when we have established that redundancies will be made, we will take reasonable steps to find you suitable alternative employment within the organisation and will give you prior consideration for any vacancies that are deemed suitable.

'Suitable' includes consideration of the terms and conditions of employment; work location; level of remuneration; grade and job duties and responsibilities. The terms and conditions of the new post must not be substantially less favourable to you. The Board will provide financial safeguards where the alternative position has a lower grade.

We will ensure that retraining, appropriate support and a trial period in the new position where you are to be redeployed are made available.

If you, whilst under notice of redundancy unreasonably turns down an offer of suitable employment, you will forfeit your entitlement to a redundancy payment.

Time off work for training or to look for a new job

We recognise and understand the financial and emotional strains that come with redundancy. We support our employees during this difficult time by, where possible, giving you a reasonable amount of paid time off to look for alternative employment. This could include time off to arrange training, visit a job centre or attend a job interview.

You should discuss the arrangements for taking time off with your line manager.

Notice Periods

The period of notice to which employees are entitled is as follows:

Grade	Notice
Scale 1 to 6	1 month
SO1 to POB	2 months
POC and above	3 months

In the case of grades covering more than one band then the maximum of the grade will be used to determine the notice period.

Temporary staff may be subject to different notice periods which will be agreed at their appointment.

Employees may, depending on length of service, be entitled to longer periods of notice as laid down in legislation, ie:

Period of continuous employment	Minimum notice
2 years or more, but less than 12	1 week for each year of continuous employment
12 years or more	12 weeks

Redundancy Payments

You are entitled to receive a statutory redundancy payment if you have worked for the Board for at least two continuous years. This payment will be calculated in accordance with the relevant statutory redundancy pay provisions in force at the time. You will receive a written statement showing how your redundancy pay has been calculated. Redundancy pay will not be subject to income tax or national insurance contributions.

If an employee qualifies for a redundancy payment then their local government continuous service will be included in the calculation. Redundancy pay is calculated using a combination of the employee’s age and length of continuous service.

The respective legislation defines the number of weeks’ pay that an employee is entitled to receive as compensation for loss of employment. A week’s pay will be based on actual salary (pro rata if part-time) rather than the employment law statutory maximum amount.

Notice of redundancy

If your selection for redundancy is confirmed, you will be given written notice of the termination of your employment in accordance with the notice period set out in your contract of employment or the statutory minimum notice period, whichever is greater.

Depending on the circumstances, we may give you a payment in lieu of notice instead of requiring you to work your notice period.

Right of appeal

You have the right to appeal our decision to select you for dismissal on the ground of redundancy.

An appeal can be based on the grounds that you are dissatisfied with the way we applied the selection criteria, or that you believe you have been unfairly disadvantaged by the selection criteria, or that you consider you were not given a fair opportunity to put forward your representations.

An employee wishing to appeal against selection for redundancy must do so in writing to the Chief Executive/Executive Committee within 7 days of receiving their official redundancy notice. The Chief Executive will then consider the matter and issue a final decision.

Pension

In the case of employees over the age of 55 who are made redundant, they will normally gain access to an unreduced pension upon their termination date.

Exit Cap

Any exit strategy may be subject to the Local Government Exit Cap.

****Advice currently being sought by Publica HR Business Partner ****



Sickness Absence Policy

Introduction

At the Cotswolds Conservation Board, we aim to encourage you to maximise your time at work. However, we know that sometimes you may not always be fit to attend work or may need to be absent for other perfectly good reasons.

Whilst we understand there will be times when you cannot attend work, we must also consider the business needs of the organisation; high attendance levels are essential in order to deliver excellent service. This policy aims to strike a reasonable balance between the needs of the business and the needs of the people who work for us. It is also designed to ensure that all instances of sickness absence are dealt with in a consistent, fair and non-discriminatory way.

We will ensure that the reasons for sickness absence are understood in each case and investigated if appropriate. We will adopt practical and reasonable measures to support you and assist you back into work after a period of sickness absence if we think that would be helpful.

What are our expectations of you?

We expect that you will:

- Work your contracted hours unless unfit to do so.
- Raise concerns with your manager if you believe that your job is making you ill or contributing to illness.
- Notify your manager promptly, by telephone to tell them that you are unwell (or unable to attend work for any other reason). Notification should be made no later than one hour after your normal start time. If you work in a customer-facing environment, it may be necessary to get in touch before your normal start time; if that applies, your manager will advise you about how to do that. You will need to state the reason why you cannot attend work and how long you think the absence will last.

If you start work and then leave early due to sickness, it will be recorded as half a day's sickness if you work less than 50% of your contracted hours for that day. If you work more than 50% of your contracted hours, no sickness absence will be recorded for that day.

- Notify your manager by telephone again on day four if you are not back to work.
- Ensure that medical advice and treatment is sought as quickly as possible in order to facilitate a return to work.
- Attend a meeting with your manager on your return to work to discuss the absence and the reason for it. The purpose of this discussion will be to establish whether you are fit for work and to establish if your manager can provide any support to you that could facilitate your attendance at work in the future (for example, if your absence was in any way work-related).
- Complete and submit a self-certification form on return to work for all periods of sickness absence not exceeding seven days.
- Provide a fit note from your doctor for all absences exceeding seven days.

- Provide a doctor's certificate or fit note for a period of sickness absence not exceeding seven days if we specifically request it, e.g. to cover illness whilst on pre-booked annual leave. In these circumstances, consideration will be given to reimburse you for the cost of obtaining a certificate if it has to be obtained privately.
- Agree on request, to be referred to (and/or examined by) an occupational health specialist or doctor from our retained provider to support your absence and return to work. There will be no cost to you; we will meet all costs associated with any such examination and/or medical report and provide you with a medical consent form in order to release your medical records to the occupational health provider.
- Work with us to implement any reasonable adjustments to job duties, hours or working conditions, resulting from recommendations made by your doctor or occupational health specialist, notwithstanding the fact that the advice on a fit note is not binding on the organisation.
- In the case of long-term sickness absence, receive a home visit from your manager, who will be accompanied by your HR Business Partner (HRBP).

What will you be paid when you are off sick?

The Organisation’s Sickness Scheme is intended to supplement Statutory Sick Pay and Employment and Support Allowance so as to maintain normal pay during defined periods of absence on account of sickness, disease, accident or assault.

Sickness payment under the scheme is based on service and is as follows:-

During the 1st year of service one month’s full pay (and after completing four months’ service)	One month’s full pay and two months’ half pay
During the 2nd year of service	Two months’ full pay and two months’ half pay
During the 3rd year of service	Four months’ full pay and four months’ half pay
During the 4th and 5th years of service	Five months’ full pay and five months’ half pay
After 5 years’ service	Six months’ full pay and six months’ half pay

Medical appointments

Routine appointments initiated by you should, ideally, be made during breaks, before or after normal working hours. Where that is not possible, by speaking with your manager and colleagues, to ensure that business needs are met, it should be possible to agree flexible working arrangements.

Occupational health

We retain the services of an occupational health specialist in order to provide professional advice and support; including in cases of short-term absence where it is appropriate. You will be referred to these specialists for all cases of long term sickness. You will need to sign a consent form giving permission for Occupational Health to access your medical records. If you do not give your consent,

then any decisions regarding your future employment can only be based on the information available.

Mental health support

We recognise the advantage of the early intervention of mental health support. Where appropriate, we expect you to agree on request, to be referred, at the earliest opportunity, to our occupational health specialist so that we may provide you with suitable support. The mental health charity, [Mind](#), is a valuable source of the information and support that is available.

Stages in the procedure

This policy and procedure has four stages and will normally involve applying absence trigger points. It will be your line manager who will speak to you about your absence if it reaches a defined trigger point. (See paragraph below headed 'Informal stage' for details of trigger points). You should be aware that, if absence becomes a cause for concern and depending on the circumstances, you could be issued with a warning about unsatisfactory attendance.

However, trigger points are intended as guidance only. Certain patterns of absence may also be a cause for concern and require action. On the other hand, you might reach a trigger point but your manager, after consultation with your HRBP, may decide action is not appropriate due to the particular circumstances of your absence.

If you are an employee with a disability, you will be given special considerations, including reasonable adjustments, in line with our responsibilities under the Equality Act 2010.

Long-term sickness absence

Continuous sickness absence of four weeks or more is classed as long-term absence and there is a different process for dealing with that. Your manager and an HRBP will meet with you and advise you about the process if you are off for a long period.

Informal stage

This stage of the procedure is activated after you have reached a trigger point or there are other concerns about persistent short-term absence, such as a particular pattern of absence.

You will reach a trigger point if:

- During any period of 12 consecutive months, you are absent from work for 9 or more working days (this can be one instance or the total of several instances).
- There are any other recurring recognisable patterns, such as frequent absenteeism on particular days of the week.

Where it is considered necessary, employees will be referred to Occupational Health. If you are suffering from a stress-related or mental health illness, you will be referred as soon as possible in order to provide you with the necessary help, guidance and support where appropriate.

If you reach this stage of the procedure, your manager will invite you to attend a meeting. This will be an informal meeting where they will discuss with you the reasons for absence and what can be done to help you to improve your attendance levels. They will set a review period for monitoring your future absence which is likely to be for at least six weeks or whatever is appropriate in the

particular circumstances (normally not longer than three months but can be varied). Following the meeting, the agreed actions will be confirmed to you in writing.

If, at the end of the review period, your attendance is no longer a cause for concern, your manager will let you know in a pre-arranged review meeting, that there is no need for further monitoring at this particular time but you will be reminded of the importance of future regular attendance.

If there has not been sufficient improvement in your attendance levels, your manager will consult with your HRBP and may ask you to attend a formal meeting under the next stage of the procedure which will be stage one – see below.

If your attendance improves during the review period but there is a subsequent dip, your manager can call a formal meeting under stage one of the formal process rather than starting again informally.

Stage One – sickness absence review meeting

Where your manager has continuing concerns relating to persistent and/or intermittent sickness absence and informal mechanisms for addressing it have been exhausted, they will invite you to attend a formal sickness absence review meeting. You have the right to be accompanied by a work colleague or Trade Union representative. An HRBP will also be in attendance at the meeting.

At the meeting, attention will be drawn to your levels of absence. The reasons for the absence will be discussed to try and address any underlying causes. Any support which has been given to date will be reviewed and any further support that can be offered to you will be discussed.

Your manager will explain to you why your levels of absence are unsatisfactory and what improvements they expect to see. They will set a review period, of usually between six weeks and no more than three months (but can be varied). The outcome of the meeting will be confirmed to you in writing.

If, at the end of the stage one review period, your attendance is no longer a cause for concern, your manager will confirm that to you in writing.

If there has been insufficient improvement in your attendance during the review period, your manager, after consultation with your HRBP, may ask you to attend a second formal meeting. This will be stage two of the procedure (see below) and will be the final sickness absence review meeting.

If your attendance improves during the review period but there is a subsequent dip, your manager can call another formal meeting under stage two of the formal process.

To support you where necessary you will be referred to Occupational Health.

Stage Two – the final sickness absence review meeting

The meeting will cover the same points as at stage one. As with stage one, you have the right to be accompanied by a work colleague or Trade Union representative to this meeting. An HRBP will also be there.

You will be warned that your level of attendance is still considered to be unacceptable and that sustained improvement is needed. Your manager will explain that you will be given a further period in which to improve. This will be for a reasonable length of time; usually between three months and

no more than six months. They will also explain that, if there is no sustained improvement, then they may recommend that you are dismissed from your employment on the grounds of capability.

If following the review period, attendance improves and is within acceptable levels, no further action will be taken. Your manager will write to you to confirm that your attendance is now considered to be satisfactory. However, you will be reminded that attendance is continually monitored and if any further action is needed under this policy within the following 12 months, it will be at stage two of the procedure.

Case Review Hearing

If there has been insufficient improvement in your attendance during the review period agreed at stage two and there are no exceptional circumstances meriting a further extension, your line manager will recommend to a more senior manager that a Case Review Hearing is arranged to decide if you should be dismissed from your employment.

A Case Review Hearing is normally chaired by somebody who has no previous knowledge of the case, such as the Chief Executive or Head of Finance. As with the other formal meetings, you have the right to be accompanied by a work colleague or Trade Union Representative to this meeting. An HRBP will also be there. If you are dismissed following the Case Review Hearing, you have the right to appeal against the decision. Details of how to do that will be in the final letter that is sent to you.